

GAHC040000792026



THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)
(ITANAGAR BENCH)

Case No. : BA/2/2026

Miss Kaysang Angmo
Daughter of Shri Rigzin Wangial, permanent resident of Turtupa, Tseray, Temisgam,
PO and PS Temisgam, Leh District, Ladakh 194106

VERSUS

The State of AP
represented by the PP of AP

Advocate for the Petitioner : Jambey Tsering Kee,

Advocate for the Respondent : P P of AP,

BEFORE
HONOURABLE MRS. JUSTICE YARENJUNGLA LONGKUMER

ORDER

Date : 23.01.2026

Heard Mr. J. Tsering Kee, learned counsel for the petitioner. Also heard Mr. T. Ete, learned Additional Public Prosecutor for the State respondent.

2. The present application under Section 482 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, has been filed seeking regular bail in respect of alleged accused, namely, **Shri Nawang Namgial**, who was arrest on 21.11.2025, in

connection with Daporijo P.S. Case No. 70/2025 registered under Section 329(3) of BNS, read with Section 3(1)(c)/5(1)(a) of the Official Secrets Act, 1923.

3. The learned counsel for the petitioner submits that it has been 63 days since the first date of remand, which was on 21.11.2025, and therefore, since the mandatory period of investigation is 60 days in the aforementioned Sections, the petitioner is entitled to default bail, as the investigating agency has failed to file the charge-sheet till date. The learned counsel for the petitioner further submits that in view of the operation of law, the petitioner has now acquired an indefeasible right to be released on bail at this stage

4. The learned Additional Public Prosecutor for the State has not objected to the prayer, as the Case Diary has been received and it has been revealed that the first day of remand was on 21.11.2025 as far as the accused is concerned.

5. In view of the fact that the charge-sheet has not been filed by the investigating agency till date, the accused person, namely, **Shri Nawang Namgial**, has acquired a right to be released on bail, and therefore, this petition is allowed on the following terms and conditions:-

- i. Execution of bail bond of Rs. 30,000/- (Rupees thirty thousand) only with one local surety of like amount to the satisfaction of the trial Court.
- ii. that the accused shall cooperate with the investigation and shall appear before the I.O as and when summoned.
- iii. that the accused shall not leave the jurisdiction of the trial Court without leave of the Court.
- iv. that the accused shall not tamper with the evidence nor try to

influence the witnesses in any manner and shall not hamper the investigation.

- 6.** With the above, this petition stands allowed and is disposed of.

JUDGE

Comparing Assistant