

GAHC040002082026



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

Case No. : AB/9/2026

Marba Nalo

Son of Momar Nalo, resident of Nalo Nam Near Gompa, O Point Itanagar, PO and PS
Itanagar, Papum Pare District, Arunachal Pradesh.

VERSUS

The State of AP
represented by the PP of AP

Advocate for the Petitioner : Reken Ingo, Kipa Yabi, Jumken Ete, Aruna Rai, S D Loda

Advocate for the Respondent : P P of AP,

**BEFORE
HONOURABLE MR. JUSTICE BUDI HABUNG
ORDER**

18.02.2026

Heard Mr. R. Ingo, learned counsel for the applicant. Also heard Mr. G. Tado, learned Additional Public Prosecutor for the State respondent.

2. This application under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023, has been filed by the accused/applicant, praying for grant of pre-arrest bail apprehending his arrest in connection with Itanagar WPS Case No. 09/2026, under Sections 93/ 117(2) /125(b)/143(4)/127(4)/146 of the Bharatiya Nyaya Sanhita, 2023, *read with* Section 14(i) of the Child Labour (Prohibition and Regulation) Act, *read with* Section 75 of the JJ Act.

3. The scanned copy of the Case Diary as well as the Status Report has been produced by the learned Additional Public Prosecutor, and I have perused the same.

4. It is submitted by Mr. Ingo, learned counsel for the accused/applicant, that vide order dated 13.02.2026, while calling for the case diary, the accused/applicant was granted interim pre-arrest bail, directing that he be released on bail on furnishing a bail bond of Rs. 25,000/- (Rupees twenty-five thousand only) with one surety of like amount, with a further direction to appear before the I.O. It is submitted that after obtaining interim pre-arrest bail, the applicant appeared before the I.O. of the case, and upon his appearance, he was arrested, his statement was recorded, and thereafter he was subsequently released on bail on the strength of the order dated 13.02.2026. It is further submitted that he is ready and willing to cooperate with the I.O. in the further investigation of the case if the interim pre-arrest bail is made absolute.

5. Basing on record, Mr. Tado, learned Additional Public Prosecutor submits that the main accused involved in the case has already been identified and arrested along with the co-accused. However, the present accused/applicant has been working as an Assistant Engineer and has been posted at Yingkiong under the Rural Works Department for the past 10 years, and in connection with his duties, he mostly resides at his place of posting; under the given circumstances, his direct involvement in the alleged offence appears to be limited. Moreover, the accused/applicant appeared before the I.O. after obtaining interim pre-arrest bail, he has been cooperating with the investigation of the case. He was shown arrested and was subsequently released on interim pre-arrest bail. The learned Additional Public Prosecutor fairly submits that as his statement has already been recorded, his custodial interrogation would not be required at this stage.

6. I have considered the submissions of learned counsel for both sides and have also perused the Case Diary as well as the Status Report. It is evident that the accused/applicant has been cooperating with the I.O. in the investigation, and his statement has already been recorded. In view of the above, it appears that custodial interrogation or remand of the accused/applicant may no longer require. Hence, I find it appropriate to allow the prayer made by the learned counsel for the accused/applicant. Accordingly, the interim pre-arrest bail granted to the accused/applicant vide order dated 13.02.2026 is hereby made absolute, on the same terms and conditions.

7. In terms of the above, this anticipatory bail application stands disposed of.

8. The scanned of the Case Diary be sent back.

JUDGE

Comparing Assistant