

GAHC040021102025



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

Case No. : AB/175/2025

Rungni Bagang
Son of Late Taku Bagang, a permanent resident of Jayang Village, PO and PS
Chayang Tajo, East Kameng District, Arunachal Pradesh.

VERSUS

The State of AP
represented by the Special PP, Anti Corruption Bureau.

Advocate for the Petitioner : T T Tara, Kirmani Lollen, Pondit Ronya, Terji Kamchi, Khoda
Apa, Taba Tokur, Gamken Bam

Advocate for the Respondent : Ojing Pada, SC (ACB)

BEFORE
HONOURABLE MR. JUSTICE ANJAN MONI KALITA

ORDER

22.12.2025

Heard Mr. T. T. Tara, learned counsel appearing for the accused applicant.

2. This is an application under Section 482 of the BNSS, 2023 praying for grant of pre-arrest bail to the accused applicant in connection with ACB P.S. Case No.13/2025, dated 12.12.2025 registered under Sections 61/336/316(5)/318/319 of BNS read with Section 7 & 13 (1) (a) (b), 2 of PC Act, 1988.

3. It is the case of the accused applicant that the State of Arunachal Pradesh through the Commissioner, Land Management, Itanagar issued a preliminary notification of land for the construction of the Lada-Sarli Frontier Highway Project (Package-IV & V) in East Kameng District, Seppa in terms of the provisions of Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013. Pursuant thereto, the Deputy Commissioner, Seppa issued notices inviting claims and objections from the concerned land owners and interested persons. Subsequent to the issuance of the notices inviting claims and objections amongst the land owners, beneficiaries and other affected persons, in order to address and amicably resolve the said issues, a committee was constituted by the affected persons involved therein themselves and the present accused applicant was selected as the Chairman of the said committee.

4. In view of the aforesaid consensus and being the Chairman of the said committee, it is stated that the present accused applicant was facilitating the issues relating to the land acquisition as well as compensation to the beneficiaries of such land acquisition. It is also stated that the present applicant is also one of the beneficiaries in the list of the beneficiaries that has been prepared by the authorities.

5. However, a written complaint dated 04.11.2025 was filed by one Shri Ramesh Tako, the president of All Nyishi Youth Association, East Siang Kameng District, Seppa before the Officer-in-Charge, Anti Corruption Bureau, Itanagar alleging misappropriation of public funds in connection with Lada-Sarli Frontier Highway Project (Package-IV & V) in East Kameng District, Arunachal Pradesh. It is stated that in the FIR allegations have been made against one Shri Himanshu Nigam, IAS, Deputy Commissioner, Shri Takam Kechak, District Land

& Revenue Settlement Officer, Shri C. K. Tayyum and some other officials. It is stated, however, that the present accused applicant is not named in the FIR.

6. The learned counsel appearing for the accused applicant submits that in spite of his several attempts, he could not contact and serve a copy of the present application to the learned Special Public Prosecutor representing the Anti-Corruption Bureau (ACB), Itanagar. He further submits that in spite of his several attempts, he could not procure the copy of the FIR also. He submits that a summon was issued to him vide a notice dated 20.12.2025 which was, in fact, delivered to his residence, wherein, he has been asked to appear before the I.O. of the case, ACB, PS, Civil Secretariat, Itanagar at 11.00 AM on 24.12.2025 and he has been asked to come prepared with various documents relating to the issue for recording his statement. However, it is submitted by the learned counsel appearing for the accused applicant that yesterday morning i.e. on 21.12.2025 at about 7.00-7.30 AM, he received one phone call, wherein, one Pradip Mandal without identifying his official designation, intimated the present applicant that he must appear before the I.O. of the case on 22.12.2025 i.e. today. He further submits that though he was asked to appear on 24.12.2025 vide the aforesaid summons dated 20.12.2025, at about 10.00 AM morning today i.e. 22.12.2025, he received a *Whatsapp* message, wherein, a scanned copy of the notice dated 21.12.2025 was sent to him which mentioned that the present applicant is required to appear before the I.O. of the case on 22.12.2025 at 11.00 AM itself. He was further asked to come with all valid documents like I.D. Card, Aadhar Card etc as well as the relevant documents relating to Lada-Sarli Frontier Highway Project (Package-IV & V), East Kameng District, Seppa.

7. The learned counsel appearing for the accused applicant submits though he

has been preparing to appear on 24.12.2025 as per the earlier notice dated 20.12.2025 on 24.12.2025, he was surprised to receive the instant notice, wherein, he was asked to appear on 22.12.2025. He submits that since he has received Whatsapp message only at 10.00 AM, it was quite difficult rather impossible for him to appear with all valid documents before the I.O. of the case at 11.00 AM. He submits that he is apprehending arrest in the instant case as could be made out from receipt of the aforesaid notices, therefore, he has approached this Court for some interim relief, so that, he can get sufficient time to appear before the I.O. of the case on 24.12.2025 as per the earlier notice dated 20.12.2025.

8. This Court has gone through the materials which have been brought before this Court as well as heard the submissions made by the learned counsel appearing for the accused applicant. It could be seen that by an earlier notice dated 20.12.2025, the accused applicant was, in fact, requested to appear on 24.12.2025. However, it could not be understood why he has been suddenly sent a Whatsapp message which was delivered to him at 10.00 AM and he has been asked to appear immediately at 11.00 AM before the I.O. of the case.

9. Taking into account the whole aspect of the matter and since the learned counsel appearing for the accused applicant submits that the applicant is very much ready to appear before the I.O. of the case on 24.12.2025 as requested by the earlier notice dated 20.12.2025, this Court is of the opinion that the accused applicant should be given the required interim relief so that the accused applicant can co-operate with the investigation and appear before the I.O. of the case as requested to appear at 11.00 AM on 24.12.2025.

10. In view of the aforesaid, it is directed that in the event of the arrest of the accused applicant, namely, ***Shri Rungni Bagang*** in connection with ACB P.S.

Case No.13/2025, dated 12.12.2025, he shall be released on pre-arrest bail on furnishing a bail bond of Rs.50,000/- with a surety of like nature to the satisfaction of the arresting authority. However, the aforesaid pre-arrest bail shall be subject to the following conditions:-

(i) that the accused applicant shall appear before the I.O. of the case at 11.00 AM on 24.12.2025, without fail;

(ii) that the accused applicant shall fully co-operate with the investigation and submit the valid documents which have been sought for by the I.O. of the case; and

(iii) that the accused applicant shall not hamper or tamper with the investigation in any manner, whatsoever.

11. Call for the Case Diary.

List the matter on 07.01.2026

JUDGE

Comparing Assistant