

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 MRS. JUSTICE YARENJUNGLA LONGKUMER

ORDER

Date : 21-01-2026

Heard Mr. T. T. Tara, learned counsel for the petitioner. Also heard
Mr. O. Pada, learned Special Public Prosecutor for the Anti-Corruption
Bureau.

2. The present application has been filed under Section 482 of BNSS,
2023 praying for grant of pre-arrest bail to the applicant in connection

with ACB P.S. Case No.13/2025, dated 12.12.2025, registered under Section 61/336/316(5)/318/319 of BNS, read with Section 7 and 13(1)(a) (b), (2) of PC Act, 1988.

3. The applicant herein has preferred the present application apprehending arrest in connection with aforesaid ACB P.S. Case No. 13/2025 arising out of alleged irregularities in land compensation pertaining to the Lada-sarli Frontier Highway Project, East Kameng District. It is stated that the petitioner apprehends arrest as he had received a phone call from the Investigating Officer on 21.12.2025, directing him to appear before the Anti-Corruption Bureau on 22.12.2025 at 11:00 am, instead of the earlier scheduled date of 24.12.2025, giving rise to a bonafide apprehension of arrest in connection with the aforementioned case.

4. The learning counsel for the petitioner submits that the allegations against the present applicant do not *prima facie* disclose any ingredients of the offences as alleged, and any amount which was temporarily deposited in the bank account of the applicant was with the consent of the committee members and was thereafter, disbursed transparently without any personal gain or dishonest intention, as the applicant himself is one of the beneficiaries of the project as a land affected person. It is submitted that the applicant is a permanent resident of India and moreover, a permanent resident of Jayang Village, P.S. Chayangtajo, East Kameng District, Arunachal Pradesh. He also has no criminal antecedence and has permanent roots in the society and a contractor by profession and he enjoys a good reputation in the society.

5. This Court vide order dated 22.12.2025 granted *ad interim* pre-arrest bail to the petitioner on the condition of furnishing a bail bond of Rs 50,000/- with a surety of like amount to the satisfaction of the arresting authority in the event of his arrest. This Court also stated that the *ad interim* pre-arrest bail shall be subject to the condition that the applicant shall appear before the I.O. of the case at 11:00 am on 24.12.2025 without fail, that the applicant shall fully cooperate with the investigation and submit the valid documents which have been sought for by the I.O. of the case and that the applicant shall not hamper or tamper with the investigation in any manner whatsoever. Subsequent to the granting of the *ad interim* bail by this Court, it is stated that the petitioner appeared before the Investigating Officer on 24.12.2025 and had also submitted his PAN card, Aadhaar card, and Bank account numbers of his account at the Apex Bank Seppa Branch, SBI Seppa main Branch and SBI Seppa Bazaar Branch. He has also submitted his firm licence number and all other documents as required by the I.O. of the case.

6. It is also submitted that now it has been 29 days since the *ad interim* pre-arrest bail passed by this Court and after 24.12.2025, the I.O. has never summoned the petitioner till date, and therefore, it is stated that the petitioner has fully cooperated with the investigation and he is still ready to cooperate if and when required by the Investigating Authorities.

7. Another submission of the learned counsel for the petitioner is that the main accused in the case, one Mr. Takam Kechak has already been released on bail by the Special Court, PC Act, Yupia on 07.01.2026, and 2(two) other accused have also been released on bail by the same court.

Therefore, even going by the principles of parity, the petitioner, herein, also deserves to be released on bail. It is further submitted that all the evidence required by the Investigating Agency is in electronic form and is already in the custody of the Anti-Corruption Bureau (ACB). Moreover, the petitioner is not a flight risk as he is a permanent resident of Jayang Village, P.S. Chayangtajo, East Kameng District, Arunachal Pradesh and he has not violated any of the conditions laid down by this Court in the *ad Interim* pre-arrest bail order dated 22.12.2025. There is no allegation that the petitioner has tampered with evidence, nor is there any indication that he has tried to influence witnesses during the past 29 days after the passing of the order dated 22.12.2025.

8. The learned counsel for the petitioner has placed a reliance on the case of ***Satender Kumar Antil Versus Central Bureau of Investigation & Anr.***, reported in ***(2022)10 SCC 51***, wherein, the Honourable Supreme Court has stated that when the accused has not been arrested during the course of the investigation and has cooperated, the Court shall naturally consider the bail. The Apex Court further went on to state that investigation should not be used as a ruse to seek custody when the accused is already cooperating. The learned counsel for the petitioner therefore, submits that there is no need for custodial interrogation as far as the petitioner is concerned, as he is cooperating with the investigation and he has complied with all the conditions as laid down by this Court in the order dated 22.12.2025 and therefore, prays that the *ad interim* order dated 22.12.2025, may be made absolute and he may be allowed to remain on pre-arrest bail.

9. The learned Special Public Prosecutor, ACB, Mr. O. Pada, objecting to the prayer of the petitioner has submitted that several incriminating materials have been found against the present petitioner and that 4(four) beneficiaries have already given their statements in the form of affidavits alleging the involvement of the present petitioner in the compensation process and that the present petitioner has been involved as an intermediary between the beneficiaries and the Government Officials and acting as a broker for wrongful gain. It is further submitted that the investigation is still at the initial stage and the custodial interrogation of the petitioner is required in order to unearth all the details. The learned Special Public Prosecutor, ACB also submits that the present case is one involving economic offence wherein this Court has to consider the balance between the petitioner's right and the right of the public at large. It is further submitted by the learned Special Public Prosecutor that the petitioner is an influential person and he shall definitely try to influence witnesses if he is released on bail and being protected by an interim order, it is evident that the petitioner shall not cooperate with the investigation.

10. The Court has given due consideration to the submissions of the learned counsel for the parties. The law regarding pre-arrest bail is already well settle. In the case of ***Satender Kumar Antil*** (Supra), the Honourable Apex Court has emphasised that when the accused has not been arrested during the course of the investigation and has cooperated with the Investigating Authority, the Court is bound to consider the bail. It is also well settled that when the accused is cooperating with the

investigation and has complied with the conditions as laid down in the *ad interim* order of the Court, the Court is bound to regularise the bail. Upon reading through the reports, it is evident that after the order dated 22.12.2025 was passed by this Court, the applicant has been cooperating with the investigation. Also no materials has been shown by the Investigating Authority to show that the applicant had violated any of the conditions laid down by this Court in the order dated 22.12.2025. Further, the updated case diary produced by the learned Special Public Prosecutor also does not reveal that the applicant has violated the conditions as laid down by this Court in the order dated 22.12.2025. This Court has also observed that the petitioner is a permanent resident of Jayang Village, P.S. Chayangtajo, East Kameng District and therefore, there is no chance of his absconding or jumping bail if the bail application is allowed.

11. In view of the observations made hereinabove, the interim bail granted on 22.12.2025, is hereby made absolute on the same terms and conditions with the additional conditions:-

- i) that the applicant shall report before the I.O. of the case every fortnight;
- ii) that the applicant shall cooperate with the investigation and produce any other documents/evidence which is within his knowledge;
- iii) that the applicant shall not leave the jurisdiction of the trial court without leave of the court and;
- iv) that the applicant shall not try to influence the witnesses in any manner whatsoever.

12. Accordingly, bail application stands disposed of.

JUDGE

Comparing Assistant