

THE HIGH COURT OF MEGHALAYA

AB. No. 6 of 2014

Shri Madonbai Rymbai, S/o (L) Rising Dkhar, Resident of Sohmynting Khliehtyrshi, West Jaintia Hills District.

...Petitioner

-VERSUS-

State of Meghalaya.

....Opp.Party

Mr. HS Thangkhiew, Sr. Advocate, assisted by Shri N.Mozika, Advocate, present for the petitioner.

Mr.ND Chullai, Sr. Govt. Advocate, assisted by Mr. S. Sen Gupta, Govt. Advocate, present for the respondents.

Date of Order 26th February, 2014.

ORDER

HON'BLE PRAFULLA. C.PANT, CHIEF JUSTICE

Shri HS Thangkhiew, Sr. Advocate, assisted by Shri N.Mozika, Advocate, present for the petitioner.

Shri ND Chullai, Sr. Govt. Advocate, assisted by Shri S.Sen Gupta, Govt. Advocate, present for the respondents.

2. Heard.
3. By means of this application moved under Section 438 of Code of Criminal Procedure, 1973, the applicant Shri Madonbai Rymbai, has sought Anticipatory Bail in connection with Jowai P.S. Case No. 45(2) 2014 relating to offences punishable under Sections 406/506/34 IPC.

4. Learned counsel for the applicant submitted that the applicant is the Chief Executive Member of the Jaintia Hills Autonomous District Council. It is further submitted that due to the political rivalry, just before the elections, First Information Report has been lodged against the applicant that he has received huge amount of more than one crore and misappropriated.
5. It is contended on behalf of the applicant that the petitioner received the amount as compensation for the land acquired by the Govt., and he has committed no crime. It is further contended that the impugned First Information Report is got lodged for political reason and to cause harm to the reputation of the applicant, just before the elections scheduled to be held to the District Council.
6. Having heard learned counsel for the parties, in the above circumstances, without expressing any opinion to the final merits of the case, this court is of the view that the Anticipatory Bail Application deserves to be allowed.
7. Accordingly, Anticipatory Bail application is allowed. On arrest, or on surrendering before the court concerned, the applicant Madonbai Rymbai shall be released on bail in connection with Jowai P.S. Case No. 45(2) 2014 relating to offences punishable under Sections 406/506/34 IPC, on executing Personal Bond of Rs.50,000/- & two sureties of each of like amount to the satisfaction of the authority concerned and on the condition that he shall cooperate with the investigating agency, and shall not leave the territory of the State, without permission from the concerned court.

(Prafulla C.Pant)
CHIEF JUSTICE
26th February, 2014

S.Rynjah