

# THE HIGH COURT OF MEGHALAYA

**AB. No. 5 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 26<sup>th</sup> 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. 43(2) 2014 relating to offences punishable under Sections 464, 468, 469, 420, 409 and 500 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rivalry, just before the elections, First Information Report has been lodged against the applicant that he has withdrawn huge amount of more than one crore in the name of beneficiaries which has been misappropriated.
5. It is contended on behalf of the applicant that for the irregularities, if any, committed by the officials, the petitioner cannot be held liable in the matter. It is further contended that the impugned First Information Report is got lodged for political reasons to cause harm to the reputation of the applicant, just before the elections to the District Council scheduled to be held .
6. Having heard learned counsel for the parties, in the above circumstances, without expressing any opinion as to 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 shall be released on bail in connection with Jowai P.S. Case No. 43(2) relating to offences punishable under Sections 464, 468, 469, 420, 409 and 500 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**  
**26<sup>th</sup> February, 2014**