

**IN THE HIGH COURT OF MANIPUR
AT IMPHAL**

AB No. 56 of 2018

1. LaishramAjit Singh aged about 58 years old, S/o (L) L. Ibopishak Singh, resident of KwakeithelLaishram Leikai, P.O. & P.S. Imphal, Imphal West, Manipur-795001.
2. SarungbamUmakanta Singh aged about 52 years old, S/o S.Noroton Singh, a resident of YaishkulMoirangkhom P.O. & P.S. Imphal, Imphal West, Manipur-795001.
3. Shri L. IbochaKhuman, aged about 69 years, S/o (L) L. Shamu Singh, a resident of WangkheiNingthemPukhriMapal, P.O. Imphal& P.S. Porompat, Imphal East-District Manipur- 795001.

..... ***Petitioners***

-Versus-

1. The State of Manipur represented by the Principal Secretary (Home), Govt. of Manipur, Old Secretariat (South Block) P.O. & P.S. Imphal, Imphal West, Manipur-795001.
2. The Director General of Police, Police Headquarter, Babupara, P.O. & P.S. Imphal, Imphal West, Manipur-795001.
3. The Superintendent of Police, Jiribam, Manipur, P.O. & P.S. Jiribam, Jiribam District, Manipur-795116.
4. The Officer-in-charge, Borobekra Police Station, Jiribam District, P.O. & P.S. Borobekra, Manipur-795116.

..... ***Respondents***

BEFORE

THE HON'BLE MR.JUSTICE N.KOTISWAR SINGH

For the petitioners

:: Mr. N Jotendro, Sr. Advocate
Ms. M Punam, Advocate

For the respondents

:: Mr. Athouba Khaidem, Addl. PP.

Date of hearing & Order

:: 31.8.2018

ORDER

Heard Ms. Punam, learned counsel for the petitioners. Heard also Mr. Athouba Khaidem, learned GA for the State respondents.

The present unlisted bail application has been moved seeking relief under Section 438 of Cr.PC. According to the petitioners the allegations against them is that the petitioner No. 1 being an Executive Engineer of the MSRRDA, Manipur and petitioner No. 2 being Sub-Contractor and petitioner No. 3 being General/Main Contractor for construction of the bailey bridge were responsible for the collapse of the bridge on 22.8.2018, whereby, 2(two) persons were injured and 1 (one) local labour died, in connection with an FIR being No. 3(8)/2018 BBK-PS U/S 338/431/34 IPC was lodged.

When this application was moved, it has been pointed out by Mr. Athouba Khaidem, learned Addl. PP that the charges against the petitioners are bailable offences and in view of the above, the application under Section 438 Cr.P.C will not lie before this Court as, when any person is arrested under any bailable offence, he has a statutory right to be released by furnishing the necessary bond.

Accordingly, in view of above submission made by the Ld. Addl. PP, the present application stands closed.

JUDGE