

BA No. 6 of 2019

Date of order: 31.05.2019

Shri Umed Singh Vs. State of Meghalaya & Anr.

Coram:

Hon'ble Mr. Justice Ajay Kumar Mittal, Chief Justice

Appearance:

For the Petitioner/Appellant(s) : Mr. S. A. Sheikh, Adv.

For the Respondent(s) : Mr. N.D. Chullai, Addl.AG with
Ms. R. Colney, Addl.PP

i) Whether approved for reporting in Law journals etc.: Yes/No

ii) Whether approved for publication in press: Yes/No

Oral:-

1. Petitioner is seeking regular bail in Lumshnong P.S Case No. 10 (04) 2019 under Sections 457/408/420/120B/395/34 IPC added Section 30 of the Arms Act. The case came up for hearing yesterday and the following order was passed;

“Learned counsel for the petitioner submitted that there were nine accused involved in the case and four accused were named in the FIR namely; (1) Shri T. Hame Gympad, (2) Shri Bhawani Singh, (3) Shri Vishnu Sinha and (4) Shri Umed Singh registered as Lumshnong P.S Case No. 10 (04) 2019 under Sections 457/408/420/120B/395/34 IPC. It was submitted that three accused named in the FIR viz; (1) Shri T. Hame Gympad, (2) Shri Bhawani Singh and (3) Shri Vishnu Sinha have been released on bail. Besides the aforesaid the remaining five who were taken into custody also have been released on bail on 18.04.2019 and 25.04.2019. It was further submitted that one of the accused who was not named in the FIR was granted pre-arrest bail on 26.05.2019. Learned counsel for the petitioner claimed that the petitioner was interrogated on 28.05.2019 and thus, it cannot be said that custodial integration is required any further.

Learned counsel for the respondents prays for time to seek instructions.

Hearing is deferred to 31.05.2019”

2. On instructions, learned State counsel submits that the custodial interrogation of the petitioner is not required any more. After hearing both the parties and in view of the order dated 31.05.2019, petitioner is directed to be released on bail on furnishing a bond of Rs. 1,00,000/- (Rupees one lakh) to the satisfaction of the learned Joint Registrar (Judicial) and with a reliable surety of the like amount to be furnished to the satisfaction of the Superintendent, Jail under the following conditions:-

- (1) The petitioner is to appear before the IO twice a week for a period of one month.
- (2) The petitioner is to cooperate with the investigation agency.
- (3) The petitioner shall not hamper or tamper with the prosecution witnesses.
- (4) The petitioner shall appear before the IO as and when required.
- (5) The petitioner shall not commit the same offence in future.
- (6) The petitioner to furnish reliable bailor with valid document and shall furnish his full address or residence with document proof of epic or any documents with address and photo.

3. With the above observations, this bail application is allowed and stands disposed of.

(Ajay Kumar Mittal)
Chief Justice

Meghalaya
31.05.2019
"Sylvana PS"