



**Serial No.03**  
**Supple List**

**HIGH COURT OF MEGHALAYA**  
**AT SHILLONG**

Crl. M. C No.75 of 2024 in  
Crl. A. No. 19 of 2024

Date of Order: 31.07.2024

Shri. Khamkor Rymbai S/o Sri. Shinming Dkhar, Aged about 48 years, Resident of: Village- Namdong "B", P.S. Jowai, District- East Jaintia Hills, Meghalaya. Presently serving sentence in Jowai District Jail, Jowai.	<b>Vs.</b>	State of Meghalaya Through the Commissioner & Secretary to the Government of Meghalaya, Department of Home (Police), Civil Secretariat, Shillong.
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**....Applicant/Appellant.**

**....Respondent.**

**Coram:**

**Hon'ble Mr. Justice B. Bhattacharjee, Judge**

**Appearance:**

For the Petitioner/Appellant(s) : Dr. P. Agarwal, Adv.

For the Respondent(s) : Mrs. T. Yangi B, AAG with  
Mr. J. N. Rynjah, GA.

**ORAL:-**

This is an application filed under Section 389 (1) Cr.PC for suspension of order of sentence dated 18-10-2023 passed by the Learned Sessions Judge/Addl. D.C. (Judicial), East Jaintia Hills District, Khliehriat



in Sessions Case No.24 of 2021 whereby the applicant was directed to undergo 7 (seven) years' rigorous imprisonment consequent to his conviction under Section 397 IPC.

Dr. P. Agarwal, learned Counsel appearing for the applicant submitted that the health condition of the applicant is not well and has deteriorated to such an extent that his proper care cannot be taken inside the jail. The learned Counsel draws attention of this Court to the medical status report issued by the Medical and Health Officer, District Prison & Correctional Home, West Jaintia Hills District, Jowai dated 16-05-2024 whereby it is stated that the right hand of the applicant is amputated and the left hand is paralyzed. The applicant is also unable to eat, drink, taking bath etc. by himself. The learned Counsel also points out that it has been strongly recommended in the report that the applicant should be released from the prison so that he can be taken care of by the family members outside the prison. The learned Counsel submits that considering the medical situation of the applicant, the order of sentence passed against him may be suspended and he may be released on bail.

Ms. T. Yangi B, learned AAG assisted by Mr. J. N. Rynjah, learned GA appearing for the State-respondent does not dispute the submission made on behalf of the applicant and further submits that it is quite difficult for the jail authority to take proper care of the applicant. The learned AAG on instruction does not oppose the prayer of suspension of sentence in the matter.

In view of the above, it is deemed appropriate at this stage to suspend the order of sentence dated 18-10-2023 and direct the release the applicant on bail. Accordingly, the order of sentence dated 18-10-2023 shall remain suspended till the final outcome of the Crl. A. No.19 of 2024 and the



applicant be released on bail on his furnishing a bail bond of Rs.20,000/- (Rupees twenty thousand rupees) with a surety of like amount. The applicant shall not leave the State without giving prior information to the concerned police station.

The L.C. Record called for by this Court in connection with the Crl. A. No.19 of 2024 may be returned back to the Trial Court to facilitate the acceptance the bail bond of the applicant. The L.C. Record be remitted back by the Trial Court to this Court immediately after completion of the formalities of the acceptance of the bail bond.

With the above, this Crl. M.C. No.75 of 2024 stands disposed of.

**Judge**

Meghalaya  
31.07.2024  
“Biswarup PS”