

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

Crl. Rev. P. No. 7 of 2023

State of Manipur

Petitioner

Vs.

Lhaineikim Lhouvum @ Kikim; & Anr.

Respondents

BEFORE
HON'BLE THE CHIEF JUSTICE MR. SIDDHARTH MRIDUL

22.12.2023

Mr. Lenin Hijam, learned Advocate General, Manipur, appears on behalf of the State; and Mr. Samuel Haokip, learned counsel, appears on behalf of the respondents through VC.

The present criminal revision petition has been instituted on behalf of the State of Manipur assailing the order dated 28.03.2023 passed by the Ld. Special Judge (NIA), Imphal West, Manipur in Cril. Misc. (B) Case No. 3 of 2023 and Cril. Misc. (B) Case No. 45 of 2023, whereby the accused (respondent No.2) was enlarged on bail subject to the following terms and conditions:-

"13. Considering all these aspects, I am of the opinion that bail may be granted to the accused. In the result, the accused namely Mark Thangmang Haokip @ Mark T. Haokip, aged about 38 years, resident of Molnom Village, P.O. & P.S. Churachandpur, Churachandpur District, Manipur is allowed to go bail on his furnishing a P.R. Bond of Rs. 2,00,000/- (Rupees two lakh only) with two sureties (Gazetted Officer) of the like amount and on the conditions that:-

(a) The accused Mark Thangmang Haokip @ Mark T. Haokip shall not abscond but present himself before this Court on every date(s) fixed;

(b) The accused shall not influence prosecution witness(es) so as to dissuade the witness(es) from disclosing facts before the Court;

(c) The accused shall not leave the State of Manipur without prior permission of the Court; and

(d) The accused shall not commit similar offence while on bail."

A perusal of Annexure R/2 reflects that vide order dated 29.03.2023, on an application under the provision of Section 439(2) Cr.P.C, filed by Joint Secretary (Home), Government of Manipur, praying for cancelling the bail granted to the accused Mark Thangmang Haokip @ Mark T. Haokip, vide order dated 28.03.2023, the learned Special Judge while issuing notice in the application, kept in abeyance until further order the operation of the common impugned order dated 28.03.2023.

In view of the foregoing, after hearing learned Advocate General appearing on behalf of the State of Manipur, the only course of action that commend itself is to direct the Special Judge (NIA), Imphal West, Manipur, to hear and determine the said application under Section 439(2) of Cr.P.C. filed on behalf of the Joint Secretary, seeking cancellation of the bail expeditiously and preferably within a period of 6(six) weeks from today.

The matter is accordingly remitted back to the Special Judge (NIA), Imphal West, Manipur, to be listed for hearing on 17.01.2024.

No further relief is prayed for in the present cril. revision petition.

The present criminal revision petition is disposed of accordingly.

Registry is directed to send a copy to all the learned counsel appearing on behalf of the parties as well as to the Court of Special Judge (NIA), Imphal West, Manipur, for information and compliance.

CHIEF JUSTICE

Indrajeet