

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

MC (BAIL APPLN) No. 11 of 2023

Mr. JangkholaKhongsai, aged about 34 years, S/o (L)
ThangkhaiKhongsai, permanent resident of Kotlen
Village, P.O. & P.S. New Keithelmanbi, Kangpokpi
District, Manipur.

... Petitioner

- Versus -

The Officer-in-Charge, Hiyanglam Police Station,
Manipur – 795103.

...Respondent

B E F O R E
HON'BLE MRS. JUSTICE GOLMEI GAIPHULSHILLU

22.12.2023

Heard Mr. RS. Reisang, learned senior counsel appearing for the petitioner and Mr. Y. Asang, learned PP appearing for the State respondent.

The only prayer in the present application is to pass an appropriate order for transferring the accused person under Section 3 of the Prisoners Act, 1894 from 28 Sector Assam Rifles, Kakching District, Manipur to STC BSF, Gangpimual, Churachandpur District or jail located at Churachandpur.

As per order dated 01.06.2023 issued by the Joint Secretary (Home), Government of Manipur, there are 7 (seven) locations wherein the prisoners have been kept in prison and the same are reproduced herein below:

- "1. Premise which is covered by the CRPF Camp 78 Bn CRPF.
2. Premise which is covered by STC BSF, Gangpimual, Churachandpur District.
3. Premise which is covered by MN Sector, CRPF, Langjing and 109Bn CRPF, Mongsangei, Imphal West District.
4. Premise which is covered by 86 Bn. A Coy, Noney District.
5. Premise which is covered by 28 Sector Assam Rifles, Kakching District.

6. *Premise which is covered by 69 Bn CRPF, Mantripukhri & 29 Bn BSP, Koirengei, Imphal East District.*
7. *Premise which is covered by 16 AR Hengbung and 86 CRPF, Chilchil, Kangpokpi District."*

As per the order dated 25.10.2023 passed by the Ld. Special Judge (ND & PS), Thoubal, it was directed to put up the present petitioner at 28 Sector Assam Rifles, Kakching District, Manipur. However, right now, the present petitioner is putting up at 26 Sector, Assam Rifles, Pallel, Manipur.

The request made herein is to put up the accused in the premise which is covered by STC BSF, Gangpimual, Churachandpur District.

The learned PP appearing for the State respondent submitted that he has got instruction on telephonic conversation with the I.O. of the case that the I.O. of the case has no objection to the request made by the petitioner.

In the circumstances, it is directed to the concerned authorities to shift the present petitioner from the place where he is putting up now to the premise which is covered by STC BSF, Gangpimual, Churachandpur District.

It is also further directed that the concerned authority i.e. The State of Manipur for taking assistance from the the Commandant, 26 Sector, Assam Rifles, Pallel, Manipur and 28 Sector Assam Rifles, Kakching District, Manipur transporting the petitioner to the premise which is covered by STC BSF, Gangpimual, Churachandpur District as early as possible.

Registry is directed to furnish a copy of this order to the learned PP appearing for the State respondent to intimate the same to the concerned authorities who are going to execute the work of transporting the petitioner.

The present miscellaneous application is allowed and disposed of accordingly.

JUDGE

Bipin