

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

AB No. 17 of 2022

Md. Firoz Alam

... *Petitioner*

- *Versus* -

Officer in Charge, Thoubal P.S.

... *Respondent*

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

16.08.2024

Heard Ms. N. Savitri, learned counsel appearing for the petitioner and Mr. Samarjit Hawaibam, learned PP appearing for the State respondent.

The present application has been filed by the petitioner for Pre-arrest bail in connection with FIR Case No. 56(2)2022 Thoubal P.S. U/S 326/427/34 of the IPC on the following prayers;

"iii. To pass an order directing the respondent and any other police to release the petitioner on bail in the event of his arrest in connection with FIR Case No. 56(2)2022 Thoubal P.S. U/S 326/427/34 IPC after furnishing the necessary bonds.

iv. in the interim, to direct the respondent and any other police to release the petitioner on bail in the event of his arrest in connection with FIR Case No. 56(2)2022 Thoubal P.S. U/S 326/427/34 IPC."

Vide order dated 30.03.2022, this Court allowed the interim prayer of the petitioner with the following directions.

"1. In the event of arrest of the petitioner by the Police in connection with the FIR Case No. 56(2)2022 TBL-P.S. U/S 326/427/34 IPC, the petitioner shall be released on bail on his executing a bond of Rs. 1,00,000/- (one lakh) only along with a surety to the satisfaction of the arresting authority;

2. the petitioner shall cooperate with the investigation and make available for interrogation by I.O of the case as and when required;

3. the petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him to disclose such facts of the Court or to any other authority;
4. the petitioner should not leave the State without prior permission of the arresting authority and
5. liberty is given to the Police to make any appropriate application for modification/recalling this order, if the petitioner violates any of the conditions imposed by this Court."

Meanwhile, learned PP file objection affidavit dated 24.04.2024 and in that the operative portion of para No. 3 & 5 is reproduced here in below;

"3. That, further examined some PWs at Thoubal Moijing Leingojing. In that some of the locality stated verbally that the accused persons and victim were in a scuffle at the said area and both the victim and accused persons received injuries on their persons. But they were intervened by the localities.

5. That, further collected the injury report in respect of the victim namely Md. Yahiya (46) years S/o (L) Md. Ahamad Ali of Thoubal Moijing Leingojing (husband of complainant) from the RIMS, Imphal and the concerned doctor opined that the nature of injury is "simple".

Considering the facts and circumstances of the case and relying on the above extracted paras, I am of the view that the interim order dated 30.03.2022 needs to be made absolute with direction that the petitioner should cooperate with the investigation of the case and to appear before the I.O of the case as and when required with these directions the accused is released on bail on his furnishing bail bond of Rs. 1,00,000/- with one surety of like amount to the satisfaction of the arresting authority.

Accordingly, the present AB is allowed and disposed of.

Furnish copy of this order to the learned counsel appearing for the parties.

JUDGE

Lucy

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