

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

MC (CrI. A.) No. 13 of 2024
[Ref: CrI. A. No. 25 of 2023]

Soibam Dhanabir Singh

Applicant

Vs.

State of Manipur

Respondent

BEFORE
HON'BLE THE CHIEF JUSTICE MR. SIDDHARTH MRIDUL
HON'BLE MRS. JUSTICE GOLMEI GAIPHULSHILLU KABUI

ORDER

24.04.2024.

Siddharth Mridul, C.J.:

Mr. S. Rajeetchandra, learned counsel, appears on behalf of the applicant; and Mr. RK Umakanta, learned PP, appears on behalf of the Respondent.

Although the present application under Section 389 read with Section 482 Cr.P.C. 1973, *inter alia* prays for suspension of sentence and release on bail during the pendency of the appeal; learned counsel appearing on behalf of the applicant, limits the relief herein to interim suspension of sentence and release on interim bail on the medical grounds of the illness of his youngest son.

Upon verification, the State has filed an affidavit-in-opposition dated 02.04.2024, after providing an advance copy thereof to the learned counsel appearing on behalf of the applicant.

The relevant portion of the said affidavit-in-opposition reveals that the applicant lost his eldest son, namely, Soibam Premkumar Singh @ Boinao on

15.05.2022 due to cardiac arrest and that, his second son, namely, Soibam Prasanjit Singh, is currently undergoing medical treatment for psychological debilitation by Dr. RK Lenin Singh at the Department of Psychiatry, RIMS Hospital.

A perusal of the said affidavit-in-opposition also reflects that the applicant was enlarged on parole for 30 (thirty) days in the end November, 2021 which period was extended for 15 (fifteen) days *vide* Home Department Order Memo No. 9/21/2021-DG(J)/774 dated 13.12.2021; and that he is stated to have surrendered before the jail authorities in time. Thereafter, the applicant was again released on parole for 48 hours from 27.05.2022 to 29.05.2022 *vide* Home Department Order Memo No. H-602/130/2021-HD-HD dated 24.05.2022 and admittedly returned to Prison within time.

From the above, it is evident that the applicant is not a flight risk.

In view of the foregoing, despite the token opposition made by the State to the present application, we are of the considered view that it would be in the interest of justice to release the applicant on interim bail so as to enable him to look after his second son, who is ailing and has been undergoing medical treatment for the last several years as aforementioned.

The present application is accordingly allowed and disposed of.

Soibam Dhanabir, the applicant, is directed to be enlarged on interim bail for a period of 8 (eight) weeks from the date of his release, subject to the following terms and conditions:

- (i) He shall furnish personal bond of Rs. 10,000/- (Rupees Ten Thousand) with surety of like amount to the satisfaction of the Trial Court.
- (ii) He shall furnish to the SHO of the concerned police station his mobile telephone number, which he undertakes to keep operational during the period of interim bail.
- (iii) He shall not leave the jurisdiction of the concerned police station during the period of interim bail.
- (iv) He shall surrender, without demur, at the expiry of the period of interim bail before the jail authorities.

Registry is directed to furnish copy of this order to both the learned counsel appearing on behalf of the parties, the Trial Court, and the jail authorities as well.

Sandeep

JUDGE

CHIEF JUSTICE