

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

AB No. 47 of 2023

Achoibam Deben Singh

...Petitioner/s

- Versus -

Officer in Charge, City Police Station

...Respondent/s

B E F O R E

HON'BLE MRS. JUSTICE GOLMEI GAIPHULSHILLU

29.02.2024

[1] Heard Mr. N. Jotendro, learned senior counsel assisted by Md. Abdul Baqee Khan, learned counsel appearing for the petitioner and Mr. M. Devenanda, learned Addl. AG assisted by Ms. N. Jyotsana, learned counsel appearing for the State respondent.

[2] The present petition is filed by the petitioner u/s 438 of the Cr.P.C, 1973 praying for releasing the accused/petitioner on bail in the event of his arrest made by the Police personnel of City Police Station, Imphal West in connection with FIR No. 62(10)2023 City P.S. u/s 147/149/188/353/325 IPC later added section 307/332/511 IPC on the ground that the petitioner shall co-operate with the investigation carried out by the Police personnel of the City Police Station, Manipur and shall abide by the condition/conditions imposed by the Hon''ble Court under relevant provisions of the Section 438 Cr.P.C, 1973.

[3] In the course of hearing, it is admitted by both the learned counsel for the parties that the accused/petitioner is co-operating with the I.O of the case and appears before the I.O of the FIR case and his statement was already taken and recorded.

[4] Mr. N. Jotendro, learned sr. counsel for the petitioner undertook to make the accused/petitioner appear either before the Trial Court or the I.O of the FIR case as and when required to do so.

[5] Mr. M. Devananda, learned Addl. AG objected to the prayer to make the interim order absolute and relying upon the following Hon'ble Supreme Court's judgment in support of his case;

1. (2012) 4 SCC 379; para No. 19.
2. (2018) 7 SCC 731; para No. 6.

[6] Gone through the petition of the petitioner and counter affidavit filed by the State respondent and also the impugned judgment and order dated 27.10.2023 passed in Cril. Misc. (AB) No. 75 of 2023 by the learned Sessions Judge, Imphal West.

[7] Since both the learned counsel for the parties admitted that the accused/petitioner are co-operating with the investigation of the FIR case and since the learned counsel for the petitioner undertook to make the appearance of the accused/petitioner whenever required either before the Trial Court or the I.O. of the FIR case, the interim bail order dated 31.10.2023 passed is made absolute and the accused/petitioner is directed to furnish a PR bond of Rs. 1,00,000/- (Rupees One Lakh) only with a surety of like amount to the satisfaction of the I.O of the FIR case with direction that the accused/petitioner should not leave the State of Manipur without prior permission from the Court and should co-operate in the investigation of the FIR case and appear before the I.O of the

FIR case and before the Trial Court as and when required, if any of conditions is violated by the petitioner, the respondents police are at liberty to approach this Court for cancellation of bail.

[8] Accordingly, the present Anticipatory Bail No. 47 of 2023 is disposed of.

[9] Copy of this order may be furnished to the learned counsel for the parties.

[10] Send an extract copy of this order to the Trial Court.

JUDGE

Lucy

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