



Serial No. 01
Supplementary List

HIGH COURT OF MEGHALAYA
AT SHILLONG

AB. No. 11 of 2024

Date of Decision 05.11.2024

Shri. Rajat Tamang,
Son of Manta Tamang,
Resident of Assam Rifle Bazar,
Happy Valley, Madanrting,
Shillong, Meghalaya.

..... Petitioner

-Vs-

1. The State of Meghalaya,
Represented through Secretary
And Commissioner,
Home Police Department,
Government of Meghalaya,
Meghalaya.
2. The State of West Bengal
Represented through Secretary
And Commissioner,
Home Police Department,
Nabanna 13th Floor, 325,
Sarat Chatterjee Road,
Shibpur, Howrah,
Government of West Bengal,
West Bengal,
Pincode – 711102.
3. The Superintendent of Police,
Kalimpong Khasmahal,



Kalimpong District,
West Bengal,
Pincode – 734301.

4. The Superintendent of Police,
Darjeeling,
Richmond Hill,
West Bengal,
Pincode – 734101.

..... Respondents

Coram:

Hon'ble Mr. Justice W. Diengdoh, Judge

Appearance:

For the Petitioner/Appellant(s) : Mr. S. Chanda, Adv. vice
Mr. K. Paul, Sr. Adv.

For the Respondent(s) : Mr. R. Gurung, GA.
Mr. S. Sengupta, Addl. PP. for R 1.

i) Whether approved for reporting in Law journals etc.: Yes/No

ii) Whether approved for publication in press: Yes/No

JUDGMENT (ORAL)

1. Heard learned counsels for the parties.

2. This is an application filed under Section 438 Cr.P.C for grant of extraterritorial anticipatory bail/Transitory Anticipatory Bail/limited anticipatory bail on behalf of the petitioner herein, who is said to be



involved in cases outside the jurisdiction of this Court in the State of West Bengal. The petitioner being a resident of this State has approached this Court with a prayer for grant of such kind of bail to allow him to have a safe passage to the place of occurrence or rather to the jurisdictional police station or court where he can proceed in accordance with law.

3. This Court, at the outset, on prayer made by the parties, pending issuance of notice upon the respondents herein have granted interim bail, however, in course of time, it appears that some of the respondents have not yet received notice.

4. Be that as it may, Mr. R. Gurung, learned GA appearing for the State respondent No. 1 has submitted that there is no bar for this Court to allow the interim bail, which in fact, would amount to a transit bail as far as the prayer of the petitioner is concerned. Therefore, it is the submission of the learned GA that the earlier order passed by this Court granting interim bail may be modified to the extent that the same be converted into a transit bail to allow the petitioner to approach the concerned jurisdiction as desired by him.



5. Without going into the merits of this case, on this ground, this Court is inclined to agree with the submission of the learned GA, and accordingly, the earlier order is modified and the petitioner is granted interim bail to allow him to proceed to the place of destination, wherein the proceeding against him may be agitated. It is made clear that during the pendency of this transit bail, the petitioner is not to be arrested or confined to custody, however, he is directed to secure regular bail, if so desired within a period of 20(twenty) days from today.

6. This application is accordingly disposed of as indicated hereinabove.

Judge