

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

**AB No. 16 of 2025 with
Crl. M.C. No. 21 of 2025**

Shri Huidrom Bush Singh aged about 24 years, S/o Huidrom Premanda Singh,
Yumnam Huidrom Makha Leikai, Wangoi Sub-Division, Imphal West, Manipur-
795009

... Petitioner

- Versus -

1. State of Manipur represented by Principal Secretary (Home), Government of Manipur, at Secretariat Complex, Babupara Imphal West, Manipur-795001.
2. The Officer-in-Charge, Wangoi Police Station, P.O & P.S Wangoi, Imphal West District, Manipur-795004.

... Respondents

**B E F O R E
HON'BLE MR. JUSTICE A. GUNESHWAR SHARMA**

For the petitioner : Mr. M. Gunedhor, Adv. & Ms. L. Ashapriya, Adv.
For the respondents : Mr. Y. Ashang, PP & Mrs. RK. Emily, Dy. GA
Date of reserved : 11.07.2025
Date of Judgement : **22.07.2025**

**ORDER
(CAV)**

[1] Heard Mr. M. Gunedhor, learned counsel assisted by Ms. L. Ashapriya, learned counsel on behalf of the petitioner and Mr. Y. Ashang, learned PP assisted by Mrs. RK. Emily, learned Dy. GA for the respondents.

[2] The petitioner has filed the present bail application under Section 482 of Bharatiya Nagarik Suraksha Sanhita (BNSS) 2023 for granting anticipatory bail to the petitioner with CrI. M.C. No. 21 of 2025 for granting interim bail during the pendency of the bail application in respect to FIR No. 38(6)2025, Wangoi PS under Sections 140(3)/127(3)/142/3(5)/109/61(2) of the BNS 2023.

[3] On earlier occasion, the petitioner approached the Court of learned Addl. Sessions Judge (FTC), Manipur East by way of Cril. Misc. (AB) Case No. 85 of 2025 under Section 482 of BNSS praying for anticipatory bail. Vide order dated 24.06.2025, the Ld. Addl. Sessions Judge (FTC), Manipur East rejected the bail application in view of the gravity of the offence, the specific and evidence against the petitioner and the sensitivity of the case and the need of custodial interrogation as revealed in the case diary and produce report. Thereafter, the petitioner approached this Court for releasing him on interim bail.

[4] Vide order dated 02.07.2025, this Court granted interim protection to the petitioner and the same has been extended from time to time and vide order dated 11.07.2025 the interim protection is extended till the pronouncement of this order.

[5] It is the case of the petitioner that he has been wrongly implicated in the present FIR and he has no role and he was implicated as being a local resident in the case of disappearance and unfortunate death of one, Chesam Abdul Kadir, a physically disabled person. It is stated that at the relevant time, the petitioner was engaged in the decoration work at a wedding venue.

[6] Mr. M. Gunedhor, learned counsel for the petitioner submits that the petitioner has no criminal antecedent and he is the sole breadwinner of his family. There is no material against the petitioner except the disclosure statements made by the co-accused during the custodial interrogation and the petitioner cannot be implicated in the present case on the basis of the disclosure made by the co-accused during police custody alone.

[7] It is also submitted that during the period of interim bail granted by the Ld. Addl. Sessions Judge (FTC), Manipur East, the petitioner was

cooperating with the investigation and appeared before the I.O. as and when called for and he has not violated any of the conditions imposed by the Court below. It is also submitted that the earlier bail application was not rejected on the ground of non-cooperation or violation of any of the conditions imposed by the Court, but due to the gravity of the offence. It is prayed that the petitioner may be released on bail and he will abide by any conditions imposed by this Court.

[8] On the other hand, Mr. Y. Ashang, learned PP submits that in the bail report submitted by the investigating officer before this Court as well as before the Court of Addl. Sessions Judge (FTC), Manipur East that the role against the petitioner is very specific. Co-accused namely one, Sapam Dayani Devi revealed that she informed members of the Arambai Tengol (AT) Unit 27 (BQRT) about the incident of a theft and apprehension of one Md. Chesam Abdul Kadir, who later on allegedly died in the custody of the AT Unit. She specifically stated that since the member of AT Unit did not come in spite of her reporting, the petitioner went to the AT Unit 27 QRT camp and brought a team at the place of incident. She also stated that many unknown persons including the petitioner assaulted the deceased. It is further mentioned that the petitioner accompanied the AT team to their AT Unit 27 QRT camp along with the deceased where the assault on the deceased continued.

[9] The learned PP also draws the attention of this Court to the statement of co-accused, Longjam Khaba, who is a member of the AT Unit 27. It reveals that the petitioner came to the AT Unit 27 and called them to come to 'Yumnam Huidrom Makha Leikai'. The AT Unit 27 brought the victim to their unit and interrogated and beat him when he did not properly reply and the victim was found dead on 11.06.2025 at around 11:30 a.m..

[10] The bail report has also stated that the petitioner evaded arrest but he appeared on 04.07.2025 after getting interim bail from the Ld. Addl. Sessions Judge (FTC), Manipur East and he was concealing the facts and not cooperating with the investigation. It is stated that the custodial interrogation of the present petitioner is required to discover the true facts of the case. The

learned PP has also submitted that none of the co-accused arrested so far, has been released on bail.

[11] The learned counsel for the petitioner has made a rebuttal submission that in order to establish the veracity of the bail objection report, the case diary and the statements recorded by the investigation of the co-accused, especially of Sapam Dayani Devi and Longjam Khaba be called for.

[12] This Court has considered the materials on record especially the bail report dated 07.07.2025 submitted by the I.O. of the case.

[13] In the FIR, name of the petitioner is not included, but his name comes out on interrogation of the co-accused during the police custody. The bail report mentions about 3(three) incriminating facts about the petitioner:-

- 1) It is the petitioner who called the members of the AT Unit 27 at the place of incident where the victim was allegedly detained by the local people.
- 2) The petitioner along with local people beat the victim as disclosed by the statement of co-accused, Sapam Dayani Devi, the petitioner also accompanied the victim to the AT Unit Office and the victim was also beaten there.
- 3) The co-accused, Longjam Khaba also disclosed that the petitioner came to the AT camp and requested them to come to the place of occurrence. The petitioner accompanied the victim to the AT camp.

[14] On plain reading of the incident on chronology as disclosed in the bail report submitted by the I.O. of the case, this Court cannot accept the submission of the learned counsel for the petitioner that petitioner has no role in the case and his name may be implicated as he is a local person. However, he also stated that the contents of the bail report is required to be verified before this Court by calling the case diary so that this Court may analyze the statements recorded by the I.O. of the arrested co-accused and other witnesses.

[15] It may be reiterated here that usually the Court believes the content of the bail report, if the same is consistent and usually case diary is not

called for by the Court for deciding bail application, unless the Court wants to ascertain the contents of the bail objection report on suspicious of fabrication or inconsistency in the report submitted by the I.O.

[16] It is the consistent statement of the co-accused that it is the petitioner who called the AT Unit 27 to the place of occurrence at 'Yumnam Huidrom Makha Leikai' and he also participated in beating the victim by the public, as a result of which the victim succumbed to the injury later on.

[17] It is not the case of the prosecution that the petitioner is the lone accused. At the moment, the role of the petitioner is very crucial and it is the petitioner who called the AT Unit and the victim died in the custody of the AT Unit. The bail report also indicated that during recording of the statement of the petitioner by the I.O. when he was on interim bail from the Ld. Addl. Judge (FTC), Manipur East, he was not revealing all the material facts.

[18] In the circumstances and in the nature of the case, this Court is not inclined to exercise the discretionary provision of Section 482 of BNSS. Accordingly, the present bail application is rejected and the interim protection stands vacated.

[19] With these observations, the present AB No. 16 of 2025 with CrI. M.C. No. 21 of 2025 is disposed of.

[20] Send a copy of this order to learned ASJ (FTC), ME and the Officer-in-Charge, Wangoi Police Station for information.

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JUDGE