

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

Cril.A. No. 14 of 2024

National Investigation Agency, Ministry of Home Affairs, Government of India, New Delhi, represented by the Chief Investigation Officer (CIO) National Investigation Agency, Branch Office, Imphal, Manipur, Type-VI, Quarter G-1, Lamphel Office Colony, Lamphelpat, P.O. & P.S. Lamphel, Imphal West District, Manipur-795004.

...Appellant

- Versus-

Mr. Moirangthem Jitesh Singh @ Yuremba, aged about 22 years, S/O Moirangthem Sanjit Singh of Kakching Ningthou Leikai, P.O. Kakching, P.S. Kakching District, Manipur.

...Respondents

BEFORE

**HON'BLE THE CHIEF JUSTICE MR. D. KRISHNAKUMAR
HON'BLE MR. JUSTICE A. GUNESHWAR SHARMA**

ORDER (Oral)

24.04.2025.

(D. Krishnakumar, C.J.)

[1] Heard Mr. BR. Sharma, learned CGC appearing on behalf of the appellant (NIA). None appeared on behalf of the respondent.

[2] The appellant approached this Court by way of appeal under Section 21(4) of the National Investigation Agency Act, 2008 against the impugned order dated 30.06.2023 passed by the Ld. Spl. Judge (NIA),

Manipur (now, No.1) in Cril. Misc.(B) Case No. 65 of 2023 in Spl. T (NIA) Case No. 1 of 2023 arising out of RC-02 of 2022-NIA-IMP whereby the respondent was directed to be released on bail.

[3] The Ld. Spl. Judge released the respondent on bail on furnishing a PR bond of Rs. 1,00,000/- with two sureties (one should be a Government Employee) of like amount so as to ensure his attendance before the Court as and when directed. It is also made clear that the accused shall not influence any prosecution witness or leave the State of Manipur without prior permission of the Court, failing which this bail order shall be considered for alteration.

[4] The delay of 30 days in filing the present application was condoned vide order dated 20.08.2024 passed by this Court in MC(Cril.A.) No. 32 of 2023. The service to the respondent was duly served at his residence and was received by his father who was staying together with the respondent. Thereafter, the respondent did not appear before this Court.

[5] It is submitted that during the pendency of the present appeal before this Court, the respondent has failed to appear before the Ld. Spl. Judge (NIA) on multiple occasions. Hence, a warrant of arrest dated 24.03.2025 was issued by the Ld. Trial Court.

[6] In this respect, the appellant filed an additional affidavit dated 22.04.2025, bringing on record this fact along with suggestion for adding additional and stringent conditions which may be imposed while releasing the accused on bail by the Ld. Spl. Judge (NIA) where there is involvement of serious offences such as against the sovereignty and integrity of the nation.

[7] We have heard the learned counsel for the appellant and perused the materials on record, especially the additional affidavit dated 22.04.2025 filed by the appellant informing that the accused has absconded and warrant of arrest dated 24.03.2025 has been issued by the Ld. Spl. Judge (NIA), Manipur. Since the respondent/accused has violated the conditions imposed by the Ld. Spl. Judge (NIA) while releasing him on bail of ensuring his attendance before the Court and not to leave the State of Manipur without the permission of the Spl Court, we are of the view that the impugned order dated 30.06.2023 passed by the Ld. Spl. Judge (NIA), Manipur releasing the respondent on bail, is liable to be set aside on this ground alone.

[8] The appeal is allowed. Bail granted to the respondent vide impugned order dated 30.06.2023 is cancelled for violation of the conditions imposed by the Ld. Spl. Court.

[9] Recently, we come across cases where persons who are accused under the UAPA of heinous offences such as against the sovereignty and integrity of the nation, used to abscond after granting bail. In the circumstances, we deem it proper that in addition to the normal conditions imposed by the court, the following additional and stringent conditions may be imposed by the Trial Court while granting bail in such cases as below:

- (i) The accused shall appear before the learned Special Judge, NIA on the dates of the trial of the case till its conclusion and shall co-operate with the Court in the disposal of the case and further, shall appear before the Court as and when required.

- (ii) The accused shall appear before the NIA/Investigating Officer on such fixed day of every week/fortnight/month as deem fit by the Court till investigation is completed;
- (iii) The accused shall surrender the passport, if any, and if not surrendered earlier before the Court;
- (iv) The accused shall mention on the reserve page of personal bonds, his permanent address along with the phone number(s), whatsApp number(s) (if any), email(s) (if any), details of personal bank account(s) and details of such residential and non-residential property(s) (if available); and the accused shall intimate the change of any of the above details;

[10] It is clarified that the above conditions are not exhaustive and the Court may impose additional conditions as deem fit in the peculiar facts of the case.

[11] Send a copy of this order to the Ld. Spl. Judge (NIA), Manipur.

[12] Registrar General shall communicate the copy of the order to the concerned court and respective department.

JUDGE

CHIEF JUSTICE

Kh. Joshua Maring

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KH. JOSHUA
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