

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

Crl A No.10 of 2017 with
MC (Crl A) No.15 of 2022

H.Sanjoy Singh ... Appellant

-Versus-

State of Manipur ... Respondent

BEFORE
HON'BLE MR. JUSTICE A.GUNESHWAR SHARMA
27.2.2025

Heard Ms.Deepashree, learned counsel for the appellant and Mr.Kh.Athouba, learned PP along with Mr.Phungyo Zinkhai, learned counsel for the State.

The appellant was convicted vide order dated 27.6.2017 passed by the learned Special Judge, POCSO, Thoubal in Special Trial (POSCO) Case No.15 of 2014, under Section 366-A IPC and Section 4 POCSO Act 2012 and vide order dated 4.7.2017 the appellant was directed to undergo Simple Imprisonment for a period of 5 years under Section 366 A IPC and simple imprisonment for a period of 8 years u/s 4 POCSO Act. A period of 190 days was already set off.

Petitioner, till now, had undergone more than 6 years' imprisonment out of maximum 8 years and he has to be released on 3.7.2026 on completion of term of sentences. During this time, the appellant filed the present MC (Crl A) No.15 of 2022 for releasing him on bail on medical ground.

The medical report submitted by the Medical Officer, Manipur Central Jail, Sajiwa, dated 7.11.2024 is reproduced herein below:

"To

The Superintendent, MCJ, Sajiwa,
Dated 7.11.2024

Health report for Huidrom Sanjoy.

The inmate was complaining of dizziness, lt. sided blindness. Blockage of right nostril, pain in lt. leg for which he was referred to JNIMS multiple times on different occasions. He was examined by JNIMS Doctors, prescribed medicines with advice of investigations. As per examination he is a known case of cardio-vascular accident with in part with rt. Sided hemiparesis with hypertension. His MRI report dated 1.8.2024 reveals of cystic excephalomatactic changes at left superior frontal gyrus and left centform nucleus, Bulky and thickened lt.cavernous sinus; severe luminal narrowing of lt ICA. His NCCT PNS report reveals of significant right sided DNS with bony spur at convexity and rhinitis.

He was advised to plan for septoplasty operation under Local anaesthesia by ENT specialist on dated 14.10.2024.

He has been recently reviewed at JNIMS MOPD. He was examined by physician with advice of medicines.

He will be reviewed at JNIMS whenever necessary.
He is not related to me.

Encl;Relevant document
(photocopies)

Sd
(Dr.M.Chandrajoy Singh)
Sr.Medical Officer
Manipur Central Jail Sajiwa"

Thereafter, father of the appellant also filed an additional affidavit stating that the appellant had stroke and was on parole for more than one year.

Ms.Deepashree, learned counsel for the appellant submits that the petitioner is directed to undergo septoplasty operation

under local anaesthesia by ENT specialist. On the other hand Mr.Athouba, learned PP draws attention of this Court to the affidavit dated 16.1.2025 filed by the State respondents in response to the Medical Report submitted by the Medical Officer, Manipur Central Jail, Sajiwa. It is stated that all the ailments mentioned in the medical report dated 7.11.2024 are not of major ailments which warrant treatment of the petitioner in a hospital and Medical Report submitted by the Medical Officer, Manipur Central Jail, Sajiwa dated 11.12.2024 does not mention any date for surgery. Learned PP submits that the petitioner has no major illness which require treatment outside Jail. It is stated that the bail application on medical ground be rejected. In the latest report, it is stated that the appellant has been prescribed new medicines and review after two months.

The sum and substance of submission of learned PP is that the appellant does not have major medical problem.

Ms.Deepashree, learned counsel for the appellant draws attention of this Court to the additional affidavit of the appellant's father dated 20.11.2024 which states that when the father of the appellant visited the jail the appellant was suffering a lot with difficulty attending nature call and also there is no improvement in his health condition and is getting worse.

This Court considered the materials on record. Out of 8 maximum years' period of imprisonment, petitioner has already undergone more than 6 years and 8 months. The bail application has been pending since 2022 due to one or other reasons.

On perusal of the medical report it seems that the petitioner is having numerous problems with his health condition. However, learned PP is disputing the seriousness of the illness. The petitioner has been advised for operation of septoplasty under medical anaesthesia.

Considering the fact that the petitioner has undergone 6 years and 8 months of the total imprisonment of 8 years and nature of illness which advised for surgery, the petitioner is released on interim bail on medical ground for three months to the satisfaction of the learned Special Judge, POCSO, Thoubal on PR Bond of Rs.50,000/- with surety of Government Employee of like amount.

The appellant shall not leave State of Manipur without leave of this Court and submit progress report of medical report to the Jail Authority, to this Court and to the learned Special Judge, POCSO, Thoubal.

The proposed surgery (septoplasty) be completed within a period of three months from the date of release and on expiry of three months the appellant has to surrender to the Superintendent, Manipur Central Jail, Sajiwa.

List this case on 28.3.2025 for hearing of the main matter as well as submission of progress of medical treatment.

Furnish a copy of this order to learned counsel for the parties.

Send a copy of this order to learned Special Judge (POCSO), Thoubal in connection with Spl Trial (POCSO) Case No.15 of 2014.

JUDGE

Priyojit