

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

MC (Crl. A.) No. 37 of 2024

[Ref: Crl. A. No. 25 of 2023]

Soibam Dhanabir Singh

Applicant

Vs.

State of Manipur

Respondent

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

(ORDER)

15.05.2025

A. Guneshwar Sharma, Judge :

[1] Mr. S. Rajeetchandra, learned counsel, appears on behalf of the applicant; and Mr. RK Umakanta, learned senior counsel, appears on behalf of the respondent State.

[2] Although the present application under Section 430 read with Section 528 of BNSS, 2023 has been filed praying for stay/suspension of the order of conviction dated 04.10.2018 and the order dated 08.10.2018 sentencing him to rigorous imprisonment for life with fine under Section 302 IPC and rigorous imprisonment for 7 years under Section 201 IPC with fine passed by the Ld. Sessions Judge, Imphal West, in S.T. No. 7 of 2014/39 of 2015; learned counsel appearing for the applicant, limits the relief herein to interim suspension of the sentence and release the applicant on interim bail on medical ground for treatment of his son and wife.

[3] Affidavit-in-opposition has been filed by the respondent State by stating that the applicant has not given the details and there is an apprehension of absconding.

[4] This Court, by order dated 10.04.2025, directed the Director of Health Services, Manipur, to serve notice to the applicant's son and wife for their appearance before the Medical Board for medical examination and to file a report before this Court on the next date of hearing.

[5] In compliance to the aforesaid order, Mr. RK Umaktanta, learned senior counsel for the respondent State placed before this Court a letter dated 05.05.2025 addressed by the Chairman, Special State Medical Board, Directorate of Health Services, Manipur, enclosing Medical Examination Report in respect of (1) Soibam Indira Devi w/o Soibam Dhanabir Singh and (2) Soibam Prasanjit Singh s/o Soibam Dhanabir Singh.

Medical report of the applicant's wife gives advice for follow-up as Blood Pressure at the time of examination is high.

Medical report of the applicant's son reflects that the patient is a known case of psychosis currently under medication since last 5 years and patient needs to continue regular follow-up with a psychiatrist/mental health professional.

[6] Learned counsel for the applicant submits that the applicant is presently lodged in Manipur Central Jail, Sajiwa, by order of conviction and sentence dated 04.10.2018 and 08.10.2018. During his incarceration, his eldest son expired and the applicant was released on parole to attend the last rites and rituals and he surrendered back to jail in time. After the death of his eldest son, the applicant approached this Court by filing MC (Crl. A.) No. 13 of 2024 seeking interim bail for treatment of his second son, S. Prasanjit and the Hon'ble Court *vide* order dated 24.04.2024, released the applicant on interim bail for 8

(eight) weeks and thereafter, the applicant surrendered before the Jail authority in time, obeying the order of the Hon'ble Court.

[7] Learned counsel for the applicant further submits that his wife and son have been visiting Rahman Hospital, Guwahati for availing treatment since 2024 and on the last visit, i.e, 22.10.2024, the concerned doctor advised for review after two months, and the applicant desires to facilitate his wife and son.

[8] On perusal of the aforesaid order dated 24.04.2024 passed by this Court in MC (Crl. A.) No. 13 of 2024, it is evident that the applicant is not a flight risk.

[9] In view of the foregoing, despite the token opposition made by the State to the present application, we are of the considered view that it would be in the interest of justice to release the applicant on interim bail so as to enable him to look after his second son, who has been undergoing medical treatment for the last 5 years as aforementioned.

[10] The present application is accordingly disposed of with the following observations:

Soibam Dhanabir, the applicant, is directed to be released on interim bail for a period of 8(eight) weeks from the date of his release, subject to the following terms and conditions:

- (i) He shall furnish personal bond of Rs. 10,000/- (Rupees ten thousand) with surety of like amount to the satisfaction of the Trial Court.

- (ii) He shall furnish to the Officer-in-Charge, Singjamei Police Station and the SHO of the concerned jurisdictional police station his mobile telephone number, which he undertakes to keep operational during the period of interim bail.
- (iii) He shall appear daily before the Officer-in-charge, Singjamei Police Station while he is in Manipur; and before the SHO of the concerned Jurisdictional police Station at Guwahati, when he arrives at Guwahati.
- (iv) He shall not leave the jurisdiction of the concerned police station during the period of interim bail.
- (v) He shall surrender, without demur, on expiry of the period of interim bail before the jail authorities.

Registry is directed to furnish copy of this order to both the learned counsel appearing for the parties, the Trial Court and the jail authorities as well.

The jail authority shall also file a report before this Court and the Trial court when the applicant surrenders himself to the Jail on expiry of his interim bail.

JUDGE

Sandeep

CHIEF JUSTICE