



Serial No. 13
Regular List

HIGH COURT OF MEGHALAYA
AT SHILLONG

Crl.M.C. No. 92 of 2024 in
Crl.A. No. 42 of 2024

Date of Decision: 08.10.2025

Shri. Yowan O. Lamare
Son of Smti. Model Lamare
Resident of Lumshnong Village,
East Jaintia Hills District,
Meghalaya, presently lodged at District
Jail, Jowai.

..... Applicant

-Vs-

1. The State of Meghalaya
Through the Superintendent of Police,
East Jaintia Hills District, Meghalaya.
2. Officer-in-Charge,
Women Khliehriat Police Station,
East Jaintia Hills District,
Meghalaya.

..... Respondents

Coram:

Hon'ble Mr. Justice W. Diengdoh, Judge

Hon'ble Mr. Justice B. Bhattacharjee, Judge

Appearance:

For the Petitioner/Appellant(s) : Ms. R. Kharshiing, Adv.
Mr. A. Singh, Adv.



For the Respondent(s) : Mrs. T. Yangi. B, AAG with
Mr. J.N. Rynjah, GA.
Mr. A.H. Kharwanlang, Addl. PP.

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

JUDGMENT AND ORDER (ORAL)

Per W. Diengdoh, J:

1. Heard Ms. R. Kharshiing, learned counsel for the applicant, who has submitted that the applicant is suffering from ailments affecting his kidney and other organs of his body, for which he requires urgent and immediate treatment. It is admitted though, that the prison authorities have referred the case of the applicant for treatment at NEIGRIHMS, Shillong, however, he could not be treated at the said hospital on the ground that there are no hospital beds available at the relevant point of time.

2. It is also the submission of the learned counsel that the relatives of the applicant desires that he may be allowed to be treated at a private medical hospital, most probably Bethany Hospital, Shillong. In view thereof, prayer is made that the sentence may be suspended, and bail be granted to the applicant, to enable the relatives to admit him in the said hospital for the said treatment.



3. Mr. J.N. Rynjah, learned GA appearing on behalf of the State respondent has submitted that, pursuant to this Court's order, the medical status report dated 06.10.2025 issued by the Sr. Medical & Health Officer, District Prison & Correctional Home, Jowai has been produced before this Court today. He also submits that according to the medical status report, though, the applicant is advised for surgical intervention at NEIGRIHMS, it is a fact that there is unavailability of hospital beds at that time, and he was instructed to report back to the hospital once a bed becomes available.

4. We have considered the submission made by the learned counsel for the respective parties and have also perused the said medical status report. It is our opinion that the said report is vague, and has not been able to give a detailed account of the nature and severity of the ailment suffered by the applicant, the ground of non-availability of hospital beds at NEIGRIHMS, according to our opinion, is also unfounded. However, from whatever has been stated in the said medical report, particularly the opinion about the requirement of surgical intervention as far as the applicant is concerned, at this point of time, we are in agreement that the applicant be allowed to seek medical attention from any medical facility he desires, more particularly from Bethany Hospital, Shillong or any other medical hospital within Shillong.

5. In view of the above, we accordingly suspend the sentence of the



applicant in the interim for a period of 1(one) month, and interim bail is also granted in this regard for the said specific purpose and period. The period will run from today's date. At the end of the 1(one) months' period, the applicant is directed to report back to the prison authorities.

6. The bail conditions are as follows:

- i) That he shall not abscond;
- ii) That he shall produce a personal bond of ₹ 20,000/- (Rupees twenty thousand) with one surety of like amount to the satisfaction of the Registrar (Judicial Service) of the Court;
- iii) That he shall also give details of his residential address and contact number to the prison authorities in case he is required to be contacted once he starts his treatment, and to inform the prison authorities accordingly.

7. In view of the above, this Misc. Case is disposed of accordingly.

(B. Bhattacharjee)
Judge

(W. Diengdoh)
Judge