



Serial No. 02
Supplementary List

HIGH COURT OF MEGHALAYA
AT SHILLONG

BA. No. 57 of 2025

Date of Decision: 16.12.2025

Smti. Badonboklang Mary Kharsyntiew
D/o (L) Marius Syiem,
Resident of Mawlong, Diengsiar,
Mawlong Sirdarship,
East Khasi Hills District,
Meghalaya.

..... **Petitioner**

- Vs-

The State of Meghalaya represented
Through Secretary and Commissioner,
Home Police Department,
Meghalaya.

..... **Respondent**

Coram:

Hon'ble Mr. Justice W. Diengdoh, Judge

Appearance:

For the Petitioner/Appellant(s) : Mr. S. Chanda, Adv.
Mr. S. Thapa, Adv.

For the Respondent(s) : Mr. H. Abraham, GA.
Mr. S. Sengupta, Addl. PP.

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



JUDGMENT AND ORDER (ORAL)

1. Heard Mr. S. Chanda, learned counsel for the petitioner.
2. Also heard Mr. H. Abraham, learned GA for the State respondent, who has submitted that the case diary as called for has been produced before this Court today.
3. This is a case where an application for grant of bail has been made by the petitioner, who is the sister of the accused person, Shri. John Lari Bhabok Kharsyntiew, who was arrested in connection with Rynjah P.S. Case No. 311 (10) 2025 under Section 105 BNS on an allegation that he along with others have assaulted one person, who after sustaining grievous injury succumbed to his injuries.
4. According to the learned counsel for the petitioner, the main ground for the accused seeking bail is that he was in custody since 06.11.2025, and as such, he will not be in a position to tamper with the evidence or witnesses as investigation in the case has already commenced.
5. Another limb of argument advanced on behalf of the accused is that, there are other co-accused persons who have since been enlarged on bail, hence, parity is sought for.
6. Per contra, the learned GA has submitted that, a perusal of the case



diary, would reveal that the accused person is directly connected with the said offence of assault on the deceased, and he has also been seen and named by one of the eye-witnesses, who has witnessed the assault upon the said deceased. In such circumstances, the prayer on ground of parity cannot be allowed, further submits the learned GA. It is prayed that this petition may be dismissed as devoid of merits.

7. On consideration of the submission made, this Court, would reiterate the principle of bail, for which a Court would consider a particular case on its own facts and circumstances. However, it is incumbent upon the Court to look into the facts and circumstances of such case involving the accused person in question in the light of the seriousness, gravity and nature of the offence alleged, which in this case, is a case of assault and murder, and also the likely punishment that the accused person would incur, if convicted, again the punishment in such case being life imprisonment.

8. It is also the submission of the learned GA that investigation is still in progress and the charge sheet has not yet been filed. As such, if released on bail, there is every likelihood that the accused person would interfere with the process of investigation such as, tampering with the evidence or witnesses.

9. This Court, on perusal of the case diary, has noted the statement of one of the eye-witnesses, who has clearly identified the accused person in



question as one of the perpetrators in a group of six to seven persons, who have assaulted the deceased at the place of occurrence.

10. On the above observations, at this point of time, this Court is not inclined to allow the prayer made in this petition.

11. Petition is accordingly dismissed as devoid of merits.

12. No order as to costs.

Judge