KABORAMBAM SANDEEP SINGH
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Sl. No. 18

IN THE HIGH COURT OF MANIPUR
AT IMPHAL

Crl. A. No. 5 of 2026

Hanglem Thoiba Meitei, aged about 28 years, S/o Hanglem Diben Meitei, R/O Khumujambam Meitei Leikai, Churchandpur District, A/P Phubala Relief Camp, Bishnupur District, Manipur

Appellant/Accused person

Vs.

National Investigation Agency (NIA), Imphal Branch, Lamphel, Imphal West District, Manipur - 795004

Respondent

BEFORE
HON'BLE THE CHIEF JUSTICE MR. M. SUNDAR
HON'BLE MR. JUSTICE AHANTHEM BIMOL SINGH

(ORDER)

(Order of the Court was made by M. Sundar, CJ)

26.02.2026

[1] Captioned Criminal Appeal (Crl. A) is a statutory appeal under Section 21 of 'the National Investigation Agency Act, 2008 (34 of 2008') (hereinafter, 'NIA Act' for the sake of brevity, convenience and clarity).

[2] Captioned Crl. A. has been filed assailing 'an order dated 22.12.2025 made in Crl. Misc. B. Case No. 440 of 2025' on the file of 'the Court of Special Judge, NIA Special Court-I'. This '22.12.2025 order' shall be referred to as 'impugned order' and 'the Court which made the

impugned order' shall be referred to as 'said NIA Court' (both for the sake of clarity and convenience). To be noted, in and by the impugned order, said NIA Court has rejected appellant's bail application. Aggrieved, appellant is before this Court *vide* captioned Crl. A.

[3] Factual matrix in a nutshell is that appellant was arrested on 17.06.2025, he was in police custody till 21.06.2025 and he is in judicial custody thereafter; that after registration of FIR being FIR No. 80(11)2024 on the file of Jiribam Police Station, Manipur, pertaining to the alleged murder of a woman at Jairolpokpi (Zairawn), Jiribam, the matter was handed over to NIA which registered an FIR under Section 173 of the 'Bharatiya Nagarik Suraksha Sanhita, 2023 (46 of 2023)' [hereinafter 'BNSS' for the sake of brevity and convenience] and this FIR dated 13.11.2024 is on the file of NIA Imphal Police Station (Imphal West District) and this FIR bears No. RC-13/2024/NIA/IMP for alleged offences under Sections 103(2), 64(1), 324(5), 331(4) & 3(5) of 'Bharatiya Nyaya Sanhita, 2023 (45 of 2023)' {'BNS' for the sake of brevity}, Section 25(1-A) of the Arms Act, 1959 and Section 20 of the 'Unlawful Activities (Prevention) Act, 1967 (37 of 1967)' (hereinafter 'UAPA' for the sake of brevity and convenience); that thereafter, appellant filed 'a bail application' ('1st Bail Application' for the sake of convenience) *vide* Cril. Misc. (B) Case No. 357 of 2025, the same was

dismissed by said NIA Court; that thereafter, appellant filed 'another bail application' ('2nd bail application' for the sake of convenience) *vide* Cril. Misc (Bail) Case No. 440 of 2025 which has been dismissed by said NIA Court *vide* impugned order; that appellant has also filed Cril. Misc. Case 446 of 2025 resorting to Section 343 of BNSS for tender of pardon; that in the 2nd bail application, learned Public Prosecutor of NIA has categorically and unambiguously submitted that he has no objection for the bail prayer of applicant and this has been recorded by said NIA Court in paragraph 4 of the impugned order; that notwithstanding the position that NIA Public Prosecutor said no objection to 2nd bail application, said NIA Court rejected the 2nd bail application primarily on the ground that tender of pardon is yet to be granted and on an interesting reasoning that there is no provision for relaxation qua 43D(5) of UAPA *i.e.* relaxation akin to Section 37 of 'Narcotic Drugs and Psychotropic Substances Act, 1985 (61 of 1985)' {'NDPS Act' for the sake of brevity}; that the captioned statutory appeal is now before this Court.

[4] Mr. Th. Loyangamba, learned counsel on record for appellant is before this Court.

[5] In the light of the said NIA Court having rejected the 2nd bail application *inter alia* on the ground that tender of pardon is yet to

be granted, notwithstanding NIA Public Prosecutor saying no objection to grant bail, issue notice.

[6] Mr. Nongdamba Naorem, learned counsel, accepts notice for lone respondent NIA and Kh. Samarjit, learned senior counsel and learned Deputy Solicitor General of India (DSGI) appears on his behalf.

[7] This Court, with the consent of learned counsel on both sides took up the main Crl. A.

[8] At the outset, Mr. Kh. Samarjit, learned senior counsel and learned DSGI, on instructions, very fairly submitted that he reiterates the stand of learned Public Prosecutor for NIA in the said NIA Court *i.e.,* the stand that there is no objection for grant of bail to appellant. All that learned DSGI submitted is suitable bail conditions at the discretion of this Court may please be imposed.

[9] This Court carefully considered the case file and this Court finds that post impugned order, *i.e.,* post 22.12.2025, the application filed by appellant for tender of pardon being an application under Section 343 of BNSS has also been accepted by the said NIA Court in and *vide* an order dated 29.12.2025. In this view of the matter, the primary plank on which the impugned order is predicated *i.e.,* pardon is yet to be granted also pales into insignificance. Owing to learned

Solicitor appearing for respondent NIA saying no objection it is really not necessary to examine the second reasoning of said NIA Court that there is no relaxation provision akin to NDPS Act qua Section 43D(5) of UAPA. Therefore, this coupled with the fair stand of learned DSGI that respondent has no objection for grant of bail and reiterating the no objection stand of learned NIA prosecutor in said Court, we make the following consent order:

(i) The impugned order being order dated 22.12.2025 made by the Court of Special Judge, NIA Special Court-I in Cril. Misc. (B) Case No. 440 of 2025 is set aside;

(ii) Appellant is granted bail on the following conditions:

(a) Appellant shall execute a bond and furnish 2 (two) sureties for a like sum of Rs. 10,000/- (Rupees Ten Thousand) only each to the satisfaction of the Court of Special Judge, NIA Special Court-I, Manipur;

(b) After coming out of jail, appellant shall stay in Manipur and not leave the State of Manipur without prior leave/permission of Trial Court *i.e*, the Court of Special Judge, NIA Special Court-I, Manipur (said NIA Court);

(c) Appellant shall appear and sign before said NIA Court every first Monday of every English calendar month and as and when required by the said NIA Court. If the first Monday of a English Calendar month happens to be a public holiday (holiday for said NIA Court) then such appearance and signing shall be on the next working day of said NIA Court;

(d) Appellant shall surrender his passport (if any) before the said NIA Court and if he does not hold a passport, he shall file an affidavit to that effect in the form that may be prescribed by the said NIA Court. In the latter case, if the said NIA Court has reason to doubt the accuracy of the statement, it shall write to the Passport Officer concerned to verify the statement and the Passport Officer shall verify with his record and send a reply within a fortnight from date of receipt of query from said NIA Court. If Passport Officer fails to reply within the said period, said NIA Court will be entitled to act on the statement of the appellant;

(e) Appellant shall co-operate with the investigation;

(f) Appellant shall not tamper with evidence and/or indulge in any other activities which are in the nature of impeding the investigation process;

(g) Appellant shall inform said NIA Court the address where he resides and if he changes his address, he shall promptly inform and give details of new address to said NIA Court;

(h) Appellant shall also ensure that his mobile phone remains active and charged at all times so that he remains accessible over phone throughout the period he remains on bail.

[10] Captioned Crl. A. is allowed and ordered as above.

JUDGE **CHIEF JUSTICE**

Sandeep

FR/NFR

PS I : Upload forthwith

P.S II: All concerned will remain bound by this order as uploaded in the official website of High Court