KHOIROM BIPINCHANDRA SINGH
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Item No. 1 (Supplementary)

IN THE HIGH COURT OF MANIPUR
AT IMPHAL

CRL. A. No. 7 of 2026

Shri Rajkumar Maipaksana, aged about 20 years, S/o RK. Gourasana, a resident of Champa Nagar Makha Leikai, Jiribam District, Manipur – 795116.

… Appellant

- Versus -

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

… Respondent

B E F O R E
HON'BLE THE CHIEF JUSTICE MR. M. SUNDAR
HON'BLE MR. JUSTICE A. BIMOL SINGH

O R D E R
[M. Sundar, CJ]

23.02.2026

[1] Captioned criminal appeal (Crl. A.) is a statutory appeal under Section 21 of the 'National Investigation Agency Act, 2008 (34 of 2028)' {hereinafter 'NIA' for convenience}.

[2] Ms. G. Pushpa, learned counsel for appellant who is before this Court submits that captioned appeal is directed against a 'bail rejection order dated 23.01.2026 made in Cril. Misc. (B) Case No. 433 of 2025' on the file of 'Court of Special Judge (NIA), Special Court – I,

Manipur' ['impugned order' and 'said NIA Court' both for the sake of clarity].

[3] Issue notice.

[4] Mr. Nongdamba, learned counsel accepts notice for lone respondent i.e., NIA, Imphal Branch, Lamphel, Imphal West District, Manipur and learned Deputy Solicitor General of India (DSGI) and learned senior counsel Mr. Kh. Samarjit appears on his behalf.

[5] Short facts are that the appellant was arrested on 16.05.2025 for alleged occurrence on 07.11.2024; that a FIR bearing reference No. 80(11)2024 JBM-PS dated 08.11.2024 on the file of Jiribam Police Station, Jiribam District for alleged offence under Sections 103(2)/64(1)/324(5)/331(4)/3(5) BNS, Section 25(1-A) Arms Act and Section 20 of UA (P) Act has been lodged qua alleged occurrence; that the case is now in said NIA Court; that the appellant moved a bail application vide Cril. Misc. (B) Case No. 433 of 2025 (filed on 06.12.2025 vide CNR No. MNIE010023842025); that the bail application came to be rejected by the said NIA Court vide impugned order; that assailing the impugned order, captioned statutory appeal under Section 21 of the NIA has been filed.

[6] When the matter was taken up, it came to light that final report/charge sheet has been filed on 04.11.2025 and the matter is now scheduled to be next listed day after tomorrow (25.02.2026) in the said NIA Court for charge consideration / charge framing. In the impugned order, Ld. Judge of said NIA Court has held (particularly vide paragraph

No. 12) that grant of bail at this stage is not possible on the ground that the question as to whether the alleged offence mentioned in the charge sheet are attracted will have to be considered at the time of charge consideration i.e. framing of charge.

[7] In the aforesaid scenario, main criminal appeal was taken up with the consent of both sides.

[8] Learned senior counsel for appellant and learned DSGI very fairly consented to have the matter remanded to the said NIA Court for consideration of appellant's afore-referred bail application afresh after charge consideration/charge framing and Ms. G. Pushpa, learned counsel for appellant also fairly agreed to this course.

[9] In the light of the narrative thus far, the following consent order is made:

(a) The impugned order dated 23.01.2026 made in Cril. Misc. (B) Case No. 433 of 2025 on the file of Court of Special Judge (NIA), Special Court – I, Manipur is set aside without expressing any opinion on merits, solely for the purpose of facilitating consideration of bail application afresh (post charge consideration / framing of charge);

(b) It is made clear that setting aside of the impugned order will only revert the appellant to the position ante i.e., position prior to the impugned order and

it shall not be construed as grant of bail by this Court;

(c) Though obvious it is made clear that this Court has not expressed any view or opinion on the merits of the matter and all questions are left open for the said NIA Court to consider the bail application afresh on its own merits and in accordance with law;

(d) The said NIA Court i.e. Court of Special Judge (NIA) Special Court – I, Manipur shall take up the appellant's bail application in Cril. Misc.(B) Case No. 433 of 2025 (filed on 06.12.2025 vide CNR No. MNIE010023842025) after charge consideration/framing of charge either on 25.02.2026 or any other date when charge consideration is made / charges are framed, consider the bail application afresh and pass an order on its own merits and in accordance with law obviously after giving an opportunity to respondent NIA and such consideration of bail application in Cril. Misc.(B) Case No. 433 of 2025 2025 (filed on 06.12.2025 vide CNR No. MNIE010023842025) shall be (on its own merits in accordance with law) untrammeled by setting aside of the impugned

order vide instant order which has been done by counsel solely for the purpose of facilitating the de novo legal drill;

(e) We request the said NIA Court to decide charge consideration/framing of charges as well as the bail application afresh as expeditiously as the official business of the Court would permit;

(f) As regards injury for the appellant and the appellant being taken into Jawaharlal Nehru Institute of Medical Sciences (JNIMS), Porompat on 13.02.2026 and being advised for MRI, said NIA Court shall look into the matter on 25.02.2026 and give necessary directions (if required) at the discretion of said NIA Court.

[10] Captioned criminal appeal disposed of in the aforesaid manner with observations and directives as above. There shall be no order as to costs.

JUDGE **CHIEF JUSTICE**

FR/NFR

Bipin