

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

Bail Appln. No. 13 of 2026

1. Nengboi Haokip, aged about 49 years, W/o Late Jamsei Haokip, resident of Khonomphai Village, P.O. & P.S. Moreh, District: Tengenoupal, Manipur-795010.

2. Ch. Nemneikim Mate, aged about 47 years, W/o (L) Ch. Chunglet Mate, resident of Khonomphai Village, P.O. & P.S. Moreh, District: Tengenoupal, Manipur-795010

...Applicant/s

-Versus-

The Officer-In-Charge, Chakpikarong Police Station, P.O. & P.S. Tengenoupal, District: Tengenoupal, Manipur-795131/

...Respondent/s

-B E F O R E-

HON'BLE MR. JUSTICE AHANTHEM BIMOL SINGH

For the **Applicants** :: Md. Fakharuddin Advocate

For the **Respondents** :: Mr. H. Samarjit, PP
Mr. W. Niranjit, Dy. GA

Date of **Hearing** :: 17-06-2026

Date of **Order** :: 17-06-2026

O R D E R (O R A L)

Heard Md. Fakharuddin, learned counsel appearing for the petitioners and Mr. H. Samarjit, learned senior counsel & PP assisted by Mr. W. Niranjit, learned Dy. GA appearing for the respondents.

[2] The present application has been filed by two petitioners viz. Nengboi Haokip (accused No. 2) and Ch. Nemneikim Mate (accused No. 3) under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS) with a prayer for enlarging them on bail in connection with FIR No. 5(03) 2026 CKG, P.S., U/S 21(C)/60(3)/29 of the NDPS Act, 1985.

[3] The case of the petitioner's is that on 04-03-2026 the petitioners, who are residents of Khonomphai Village in Moreh, had gone to Churachandpur together in a passenger vehicle for visiting their son and eldest daughter respectively, who are studying and working at Churachandpur and staying in rented rooms located at Lajangphei, Churachandpur.

[4] While the petitioners were staying at the respective rented places of their respective children, one Shri Thaongminthang (accused No. 1), a resident of Moreh Ward No. 2 and known to the petitioners, requested the petitioner No. 1 to arrange for his accommodation for the night as he had come over from Moreh in the afternoon and was planning to go back on the next day.

[5] Taking the opportunity of going back to Moreh along with the said accused No. 1 in the next morning of 10-03-2026 in the vehicle brought by the accused No. 1, the petitioner No. 1

along with petitioner No. 2 accompanied the accused No. 1 in his Eco Van passenger vehicle and proceeded back to Moreh by paying Rs. 2000/- (Rupees two thousand) each as taxi fare.

[6] On their way to Moreh and on reaching Sallok Village, Chakpikarong, a team of Assam Rifles personnel stopped the Eco Van vehicle in which the petitioners along with the said accused No. 1 were travelling for checking.

[7] On checking the said vehicle, the Assam Rifles personnel alleged to have recovered 58 soap cases of Brown Sugar from the oil tank of the said Eco Van vehicle and on the alleged recovery of the said contraband articles, the petitioners along with the accused No. 1 were detained and thereafter, handed over to the Officer-In-Charge of Chakpikarong Police Station. It is also the case of the petitioners that inspite of their protest that they were merely passengers in the said vehicle and they have nothing to do with the seized contraband articles, they were not released and were detained.

[8] Thereafter, FIR No. 5(03) 2026 CKG, P.S., U/S 21(C)/60(3)/29 of the NDPS Act, 1985 was registered against the petitioners and the accused No. 1 and they were formally arrested by the Officer-In-Charge of the Chakpikarong Police Station.

[9] It is the case of the petitioners that they were merely passengers in the vehicle driven by the accused No. 1 and they have nothing to do with the seized contraband articles. It has also been submitted on behalf of the petitioners that the petitioners are not at all involved in connection with the seized contraband articles and they have also not committed any crime. It has further been submitted on behalf of the petitioners that in the objection filed by the respondents, no allegations whatsoever has been made against the present petitioners to the effect that they are connected with the seized contraband articles and that it has been clearly stated in the said objection that the petitioners were not at all aware that the accused No. 1 was carrying the said 58 soap cases of Brown Sugar in the vehicle.

[10] The learned counsel, accordingly, submitted that there is reasonable ground to believe that the petitioners are not guilty of committing such offence as alleged in the said FIR and that the petitioners are not likely to commit any such offence while on bail. The learned counsel further submitted that the petitioners are entitled to be released on bail.

[11] Mr. H. Samarjit, learned senior counsel & PP appearing for the respondents fairly submitted that in the affidavit-in-opposition filed on behalf of the respondents, no

allegation whatsoever has made against the petitioners about their involvement in committing the crime as alleged in the said FIR.

[12] It has also been submitted by the learned PP that the accused No. 1 clearly submitted that the petitioners were only passengers in his vehicle and they were not aware that he was carrying the contraband articles in his vehicle. The learned PP submitted that any appropriate order as deem fit and proper by this Court may be passed.

[13] After considering the submission advanced by the counsel appearing for the parties and on careful examination of the materials available on record, this Court is satisfied that the prosecution has not raised any allegation against the petitioners about their involvement in committing the crime. On the other hand, it is clearly reflected in the affidavit-in-opposition filed on behalf of the respondents that the accused No. 1 stated that the petitioners are merely passengers in his vehicle and both the petitioners were not aware that he was carrying the contraband articles in his vehicle.

[14] Taking into consideration the above factual position, this Court is satisfied that the petitioners are entitled to be released on bail as no allegation has been made against them by

the prosecution about their involvement in the said crime. Accordingly, the respondents are directed to release the present petitioners on bail subject to the following conditions :-

- (i) Both the petitioners are to furnish bail bond of Rs. 50,000/- (Rupees fifty thousand) each with one surety each of like amount to the satisfaction of the Spl. Judge (NDPS) Chandel.**
- (ii) The petitioners shall cooperate with the I.O. of the case during the investigation of the case as and when they are required to do so.**
- (iii) The petitioners shall attend the trial court as and when they are required to be present by the Trial Court in connection with the case.**
- (iv) The petitioners should not leave the State of Manipur without the prior approval of the Officer-in-Charge, Chakpikarong Police Station.**
- (v) The petitioners shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.**

[15] With the aforesaid directions, the present application is disposed of.

JUDGE