

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

CRL. A. No. 13 of 2023

National Investigation Agency, Ministry of Home Affairs,
Government of India, New Delhi, represented by the Chief
Investigation Officer (CIO), National Investigation Agency,
Branch Office, Imphal, Manipur Type – IV, Quarter G-1,
Lamphel Officer Colony, Lamphelpat, P.O. & P.S. Lamphel,
Imphal West District, Manipur - 795004.

... Appellant

- Versus -

Mr. Mayanglambam Siromani @ Kesper @ Casper, aged
about 32 years, S/o M. Romesh Singh of Kakching Khunou
Angom Leikai, P.S. Waikhong, Kakching District, Manipur

... Respondent

B E F O R E

**HON'BLE THE CHIEF JUSTICE MR. M. SUNDAR
HON'BLE MR. JUSTICE A. GUNESHWAR SHARMA**

For the appellant	:	Mr. BR Sharma, Central Government Standing Counsel (CGSC) along with Ms. Pamchui, Advocate
For the respondent	:	Ms. S. Gangarani, Devi Advocate led by Mr. Ch. Ngongo, Sr. Advocate.
Date of hearing	:	19.05.2026
Date of judgment & order:		19.05.2026

JUDGMENT & ORDER
(ORAL)

[M. Sundar, CJ]

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

[2] Nucleus of captioned appeal is Special Trial (NIA) Case No. 1 of 2020 on the file of Court of Special Judge (NIA), Manipur, now Special Trial (NIA) Case No. 3 of 2025 on the file of District & Sessions Court, Imphal West. This Court is informed that the District & Sessions Court, Imphal West is a designated Court qua NIA case. This case shall be referred to as 'said NIA case' and the Court concerned shall be referred to 'said NIA Court' both for the sake of brevity, convenience and clarity.

[3] The sole respondent in the captioned appeal is accused No. 4 (A-4) in the said NIA case.

[4] On facts, it will suffice to write that A-4 applied for bail in said NIA Court (obviously in said NIA case) vide Cril. Misc. (B) Case No. 10 of 2022. In and vide order dated 18.02.2023, the said NIA Court after hearing both sides and after full contest granted bail and imposed certain bail conditions. This 18.02.2023 order of said NIA Court granting bail to A-4 shall be referred to as 'impugned order' for the sake of brevity, convenience and clarity. NIA has filed captioned statutory appeal assailing this impugned order. Owing to the trajectory the captioned appeal has taken today in the

hearing (about which there will be allusion elsewhere infra in this order) it is not necessary to be detained further by facts. To put it differently, it is not necessary to dilate more on facts.

[5] Mr. BR Sharma, learned 'Central Government Standing Counsel' ('CGSC' for the sake of convenience) along with Ms. Pamchui, learned counsel for NIA and Ms. S. Gangarani Devi, learned counsel led by Mr. Ch. Ngongo, learned senior counsel for sole respondent are before this Court.

[6] Captioned main criminal appeal was taken up with the consent of aforementioned learned CGSC for NIA and learned counsel for respondent.

[7] At the outset, though the learned counsel for appellant has first right of audience, it is imperative to capture the submission of learned counsel for the respondent. Learned counsel for respondent (A-4 in the said NIA Court) submits that the respondent has complied with all bail conditions in impugned order, he is appearing regularly in the said NIA Court in said NIA case in all hearings. It is further submitted by learned counsel for respondent that respondent (A-4) is cooperating in conduct of smooth conduct of Trial.

[8] To be noted, the impugned order was made nearly 3 (three) years and 3 (three) months ago (18.02.2023 to be precise). A perusal of E-Court website of said NIA Court brings to light that there have been many listings/hearings post impugned order and there is nothing to demonstrate that respondent (A-4) has not appeared in any of the hearings.

[9] Be that as it may, learned NIA counsel i.e. learned CGSC for appellant Mr. BR Sharma very fairly submitted that it is true and correct that respondent (A-4) is cooperating qua smooth conduct of Trial after complying with all bail conditions imposed vide impugned order and there would be no difficulty in he remaining enlarged on bail as long as he continues to extend cooperation for the Trial.

[10] This Court is informed by learned counsel on both sides that Trial has since commenced in the said NIA case in said NIA Court, examination of prosecution witness is under way, the case was last listed on 07.05.2026 and it now stands over to 21.05.2026.

[11] In the light of the afore-referred position, there is no disputation or contestation as regards respondent remaining enlarged on bail. Be that as it may, fair submission of learned CGSC for NIA i.e., learned CGSC for appellant that the bail order (impugned order) can continue to operate is recorded and his further request that all questions raised by NIA in the captioned CrI. A. may please be left open for being canvassed in another matter (if need arises) is acceded to. Learned counsel for NIA submits that A-4 (respondent) can remain enlarged on bail but requests that it may be made clear that it would be open to NIA to seek cancellation of bail qua respondent (A-4) if the need arises/if there are change of circumstances. This request is acceded to.

[12] The above scenario makes the task of disposing of captioned Cril.A fairly simple as already alluded to supra.

[13] The sequitur is, captioned appeal is disposed of as closed vide instant consent order, refraining from legal drill of testing the impugned

order on merits. To put it differently, the impugned order i.e., order dated 18.02.2023 made in Cril. Misc. (B) Case No. 10 of 2022 on the file of Court of Special Judge (NIA), Manipur is confirmed by consent {without testing it on merits} albeit (a) leaving open all questions raised by NIA as well as the respondent (A-4) in the captioned criminal appeal for being canvassed in another matter if need arises; (b) leaving open the right of NIA to seek cancellation of bail vide impugned order if the need arises/if there is change of circumstances and preserving the rights of respondent (A-4) to resist such bail cancellation application (if such a scenario unfurls) and (c) making it clear that the said NIA Court shall now proceed with Special Trial (NIA) Case No. 1 of 2020 on the file of Court of Special Judge (NIA), Manipur, now Special Trial (NIA) Case No. 3 of 2025 on the file of District & Sessions Court, Imphal West on its own merits in accordance with law untrammelled by instant consent order.

[14] Captioned criminal appeal is disposed of as closed in the aforesaid manner affirming the impugned bail order, vide instant consent order albeit with preservation of rights/contentions and observations set out supra. There shall be no order as to costs.

JUDGE

CHIEF JUSTICE

FR/NFR

John Kom

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