



Serial No. 02

Sppl. List

HIGH COURT OF MEGHALAYA
AT SHILLONG

BA No. 20 of 2026

Date of Decision: 29.04.2026

1. Biangkupar Nongsiej

Son of Shri Dipendro Syiem

R/o Village: Lawse

P.S: Nongstoin

District: West Khasi Hills, Meghalaya.

.....Applicants

-Versus-

1. The State of Meghalaya

Through Public Prosecutor.

.....Respondents

Coram:

Hon'ble Mr. Justice W. Diengdoh, Judge

Appearance:

For the Appellant/Petitioner(s) : Mr. S.D. Upadhaya, Adv.

For the Respondent(s) : Mrs. N.G. Shylla, Sr. GA
Mr. E.R. Chyne, GA.

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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.D. Upadhyaya, learned counsel for the applicant, who has submitted that this bail application has been moved before this Court, after two bail applications have been rejected by the Trial Court, but the third one being withdrawn on technical grounds.
2. It is the case of the applicant that he was arrested on 03. 02. 2024 on an FIR being filed before the Officer Incharge, Nongstoin Police Station, wherein it has been alleged that he had killed his own wife, who was pregnant at that point of time.
3. The learned counsel has further submitted that on the case being investigated, chargesheet filled, the trial has commenced and out of 12 listed witnesses, the prosecution has examined 10 of such witnesses, the fact that the case has travelled for very long, the applicant being incarcerated in prison custody thereafter, the prayer for grant of bail is made to allow him to freely defend his case.
4. It is prayed that this petition may be allowed and the applicant to be enlarged on bail with any condition as deemed fit and proper to be imposed by this Court.
5. Per contra, Ms. N.G. Shylla, learned Senior GA appears for the State respondent has opposed the prayer made herein on the ground that the allegation made against the applicant involves a very serious and heinous offence, wherein, his own wife, who was pregnant and about to deliver a child at that relevant point of time, was killed by the applicant.
6. It is also the submission of the learned Senior GA that the trial is almost at the fag end of completion, inasmuch as, only two prosecution



witnesses are left to be examined, as such, under such circumstances, the prayer made in this application is resisted.

7. This Court has considered the submission made, taking note of the fact that the offence alleged to have been committed by the applicant is serious in nature. Nevertheless, the fact that an accused person is at liberty to defend his case in a congenial and free atmosphere irrespective of the nature of the offence alleged, the applicant would have been enlarged on bail.

8. However, the fact that the case is almost at the conclusion of the trial, with only two final witnesses remaining, this Court is not inclined to allow the prayer made at this point of time.

9. Accordingly, this application is hereby dismissed.

10. It would be open to the applicant to approach this Court, if the case is not completed or concluded in the near future.

11. Petition disposed of.

(W. Diengdoh)
Judge

Meghalaya
29.04.2026
"Khraw"