



Serial No. 03
Supplementary List

HIGH COURT OF MEGHALAYA
AT SHILLONG

AB. No. 13 of 2026

Date of Decision: 10.07.2026

Shri. Tingus G. Marak
Son of Shri. Mitchen M. Sangma
Aged about 23 years
Resident of Reingdim Village,
Nongstoin, West Khasi Hills District,
Meghalaya.

..... **Petitioner**

- Vs-

1. State of Meghalaya represented by the
Ministry Home, Shillong, East Khasi Hills,
Meghalaya.
2. Superintendent of Police,
West Khasi Hills District,
Meghalaya.
3. Officer-in-Charge,
Shallang Police Station, Shallang West Khasi
Hills District, Meghalaya.
4. Mr. A (Complainant)
5. Mr. B (Complainant)

..... **Respondents**

Coram:

Hon'ble Mr. Justice W. Diengdoh, Judge



Appearance:

For the Petitioner/Appellant(s) : Mr. H.R. Nath, Adv.

For the Respondent(s) : Mr. S.A. Sheikh, GA.

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. H.R. Nath, learned counsel for the petitioner, who has submitted that an FIR dated 07.04.2026 was lodged by two complainants before the Officer-in-Charge, Shallang Police Station, West Khasi Hills District, wherein, it was alleged that four persons had sexually assaulted two survivors i.e. the respective daughters of the complainant when the said survivors were on their way from one locality to another at around 12:00 AM on 07.04.2026.

2. In course of investigation, three of the accused persons were arrested. This information came to the notice of the petitioner, and being apprehensive of imminent arrest, he has accordingly approached this Court with this instant petition with a prayer for grant of pre-arrest bail.

3. It is also the submission of the learned counsel that the petitioner was not at all involved in any case of sexual assault, but his role is only to the extent that on the said day i.e. 07.04.2026 at around 5:00 AM, while passing through



Riangdim village, he saw two girls walking on the road and they signaled him to stop since he was riding a Motor Bike and had requested him to drop them at Shallang. He along with a young boy of about 14 years old accordingly drop the two girls whose name is not known to him. At that point of time, on reaching Shallang market, the girls asked him for money stating that they were hungry and he gave them 500 rupees. After dropping them at Shallang market, he returned to Riangdim. However, his part in the whole episode has been taken otherwise, and he is now also accused of having sexually assaulted the two survivors, further submits the learned counsel.

4. The learned counsel further submits that, since there is apprehension as far as his arrest is concerned, the petitioner has accordingly approached this Court, and vide order dated 29.04.2026, he was allowed to go on interim bail on conditions that he shall not abscond or tamper with the evidence or witnesses and that he shall cooperate with the Investigating Officer as and when required. In the meantime, the petitioner has accordingly appeared before the Investigating Officer and his statement was recorded. In fact, in the course of investigation, he was also summoned for the purpose of Test Identification Parade (TIP) which he had cooperated.

5. In view of the above, the learned counsel has submitted that this petition may be allowed and that in the event of his arrest, he may be released on



bail with any conditions as deemed fit and proper to be imposed by this Court.

6. Mr. S.A. Sheikh, learned GA appearing on behalf of the State respondent has opposed the prayer made in this petition and has also referred to the statement of the survivor made under Section 180 BNSS, wherein, the survivor had clearly implicated the petitioner herein that on the way to Songsak, the petitioner who was referred as one of the accused uncle, had stopped the bike, and had forced the survivor inside a hut and there, he had sexually assaulted her. Therefore, under such circumstances, the learned GA has submitted that the Investigating Officer may be allowed to be interrogated or make further questioning as far as the role of the petitioner is concerned. It is therefore prayed that this petition may not be allowed.

7. As far as the two complainants are concerned, they are duly represented by the learned Chief Legal Aid Defence Counsel (CLADC), West Khasi Hills District, who is present through video conferencing along with two complainants and the Investigating Officer.

8. It is the submission of the learned CLADC that the two complainants have no objection to the prayer made in this petition, inasmuch as, they are not aware of the role or identity of the petitioner herein.

9. This Court has considered the submission made, and is aware that the allegation made are serious in nature which involves the case of sexual assault



against the survivors who are minor in age. Prima facie, it also speaks volumes about the role of the petitioner, inasmuch as, when trust was reposed in him by the two survivors to assist them in reaching their destination, though, initially, he has done so, but on the way to the destination, he had allegedly committed sexual assault on one of them. This conduct is not befitting a person who does not have any ill intention, and as such, since the offence alleged are very serious in nature, and also since, investigation has not yet been completed, therefore, the prayer made in this petition does not find favour of this Court.

10. Petition is hereby dismissed as devoid of merit and the same is accordingly disposed of.

11. The interim bail granted is hereby discharged.

Judge