



Serial No. 01
Supplementary List

HIGH COURT OF MEGHALAYA
AT SHILLONG

BA. No. 28 of 2026

Date of Decision: 12.05.2026

Smti Ridis Amkhloo,
 Daughter of Smti. Maya Amkhloo
 Aged about 45 years,
 Sister of the Accused namely Rimiki Amkhloo,
 Resident of Lakadong Ummat,
 East Jaintia Hills District, Meghalaya.

.... Petitioner

- Vs -

1. State of Meghalaya,
 Represented by its Secretary
 Government of Meghalaya, Shillong,
 East Khasi Hills District, Meghalaya.
2. Superintendent of Police,
 East Jaintia Hills District,
 Khliehriat, Meghalaya
3. Officer-in-Charge,
 Khliehriat Police Station,
 East Jaintia Hills District, Meghalaya.

.... Respondents

Coram:

Hon'ble Mr. Justice W. Diengdoh, Judge

- | | | |
|-----|---|--------|
| i) | Whether approved for reporting in
Law journals etc.: | Yes/No |
| ii) | Whether approved for publication
in press: | Yes/No |

Appearance:

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



For the Respondent(s) : Mr. N.D. Chullai, AAG with
Ms. E.R. Chyne, GA.

JUDGEMENT AND ORDER (ORAL)

1. An FIR dated 03.03.2026 has been lodged before the Officer-in-Charge, Ladrymbai Police Outpost, East Jaintia Hills District by two persons namely, Shri Dawanoo Rymbai, Waheh Shnong, Lama Village and Shri Charling Syrti, Secretary, Lama Village.
2. The contents of the FIR speak of a dispute between two villages i.e. Lama Village and Lakadong Ummat Village in the East Jaintia Hills District, indicating therein that two groups of villagers of these respective villages are involved in such dispute, which land is the subject matter of acquisition by the concerned authorities for construction of a Four Lane expressway.
3. From the FIR, it is also revealed that the office of the Deputy Commissioner, East Jaintia Hills District, Khliehriat, had fixed 03.03.2026 as the date for spot inspection of the said disputed land for the purpose of acquiring land for construction of Four Lane expressway. Accordingly, at about 10:30 - 11:00 am or so, a number of people were present there. Some of those present, specifically named in the said FIR have been alleged to have come to the spot armed with firearms and proceeding towards the crowd and resorted to indiscriminate firing resulting in three of the villagers of Lama village sustaining



injuries on their bodies, for which they had to be taken to the hospital for treatment.

4. Accordingly, the police have registered the FIR as Khliehriat P.S Case No. 104 (3) 2026 under Section 109/118(2)/191(3)/61(2)/132/3(5) BNS, read with Section 27 Arms Act. On investigation launched, the accused person Shri. Rimiki Amkhloo for whom this bail application has been moved, as the Headman of Lakadong Ummat village as well as the Secretary of the VEC (Village Employment Council) was arrested in connection with such case and is still in judicial custody till date.

5. Heard Mr. H.R. Nath, learned counsel for the petitioner, who has submitted that the petitioner is the sister of the accused, Shri. Rimiki Amkhloo, who has preferred 2(two) previous bail applications before the Court of learned Chief Judicial Magistrate, East Jaintia Hills District, which was rejected. Thereafter, a similar application was also moved before the Court of the learned Sessions Judge, which was also rejected. Finally, this instant application has been filed before this Court with a prayer for grant of bail on behalf of the said accused person.

6. It is also submitted that the accused person herein being a responsible head of the Lakadong Ummat village is duty bound to be present on the said date when the inspection was to be carried out by the authorities, but he has no role



to play in any untoward incident which is said to have occurred on the said date of inspection. There is also no past criminal record on his part, and as such, having been in judicial custody for quite some time, it is prayed that he may be enlarged on bail with any conditions that this Court may deemed fit to impose, which will be duly complied with by the accused person.

7. The learned counsel has also submitted that on account of the said case registered as a result of the said FIR dated 03.03.2026 being filed, a number of accused persons, about 5(five) or so, have moved this Court for grant of pre-arrest bail which has been allowed, as such, there is also a prayer on parity.

8. Per contra, Mr. N.D. Chullai, learned AAG assisted by Ms. Z. E. Nongkynrih, learned GA appearing for the State respondent, while opposing the submission made by the learned counsel for the petitioner has, at the outset, raised the issue of maintainability of this instant application on the ground that admittedly, about 6(six) bail applications have been preferred on behalf of the accused person in question, when this application has been filed before this Court, nothing has been indicated in this petition as to what are the changed circumstances which has led the petitioner to move this bail application. What has been indicated at para 12 of this petition is that the accused person being a responsible Headman of the village Lakadong Ummat and having no past criminal record, however nothing has been said about any changed



circumstances. On this ground only, this application is liable to be rejected, submits the learned AAG.

9. The learned AAG has also further submitted that in the said land dispute and on the said date of inspection, a large number of people have gathered at the place of occurrence (PO) and eye witness account would put the accused person herein along with others who were seen carrying weapons and behaving in an aggressive manner, ultimately with firearms being use whereby, some of those present were hit and sustained injuries. The accused person Shri. Rimiki Amkhloo has also been identified by some witnesses as being present at the scene holding a machete and shouting. It is also to be noted that the said firearm used by the accused person herein is yet to be recovered, as such, if enlarged on bail, the accused person may tamper with the evidence and witnesses, submits the learned AAG.

10. In view of the gravity of the offence committed and the complicity of the accused person herein, this bail application is therefore without merits and the same be dismissed as such, submits the learned AAG.

11. This Court has carefully taken note of the submission of the learned counsels for the parties, and would not repeat what has been stated as facts of the case. Suffice it to say that the prosecution's case is that on 03.03.2026 at about 10:30 – 11:00 am, when a number of people consisting members of 2(two)



opposing groups met at the site of the inspection, tempers frays and under such tense situation, an altercation took place, firearms may have been used resulting in injuries sustained by those involved. The perpetrators being the accused herein and others.

12. However, it is to be reminded that investigation is still going on. Admittedly, the accused person herein has been in judicial custody for quite some time. This can only mean he is no longer required for questioning. There is also no evidence that he is the one who has used the firearm. Be that as it may, the cardinal rule in bail jurisprudence is the principle of “*bail and not jail*”, the fact being that sooner or later, the accused would have to face trial, and, if found guilty, would be incarcerated in custody in accordance with the terms of the sentence. More often than not, at the stage of grant of bail, the court has to maintain the balance between personal liberty and societal interest. Every case has to be look into, taking into account the facts and circumstances of such case, vis-à-vis, the role of the accused in question. In this case as has been observed, nothing concrete has been found as far as the role of the accused person is concerned, this is of course, subject to completion of final investigation. In the meantime, while reiterating the principle of bail, what is to be taken into account is the status of the accused person and the fact that there is no likelihood of his fleeing or jumping bail if granted. This proposition has been propounded by the



Hon'ble Supreme Court in a case of **Sanjay Chandra v. Central Bureau of Investigation, (2012) 1 SCC 40**, where in at para 21 and 22, it was held as follows:

“21. In bail applications, generally, it has been laid down from the earliest times that the object of bail is to secure the appearance of the accused person at his trial by reasonable amount of bail. The object of bail is neither punitive nor preventative. Deprivation of liberty must be considered a punishment, unless it is required to ensure that an accused person will stand his trial when called upon. The courts owe more than verbal respect to the principle that punishment begins after conviction, and that every man is deemed to be innocent until duly tried and duly found guilty.

22. From the earliest times, it was appreciated that detention in custody pending completion of trial could be a cause of great hardship. From time to time, necessity demands that some unconvicted persons should be held in custody pending trial to secure their attendance at the trial but in such cases, "necessity" is the operative test. In this country, it would be quite contrary the concept of personal liberty enshrined in the Constitution that any person should be punished in respect of any matter, upon which, he has not been convicted or that in any circumstances, he should be deprived of his liberty upon only the belief that he will tamper with the witnesses if left at liberty, save in the most extraordinary circumstances.”

13. Admittedly, the accused person herein is the headman of the village Lakadong Ummat, and therefore, holds an important and prominent status in society, in the words of the Hon'ble Supreme Court in the case of **Siddharam Satlingappa Mhetre v. State of Maharashtra, (2011) 1 SCC 694**, at para 90, it is said that “*A great ignominy, humiliation and disgrace is attached to the*



arrest. Arrest leads to many serious consequences not only for the accused but for the entire family and at times for the entire community....”.

14. In view of the observations made herein above, this Court is inclined to allow the prayer of the petitioner herein.

15. Accordingly, the accused person in question, Shri. Rimiki Amkhloo is directed to be released on bail on the following conditions:

- i) That he shall not abscond or tamper with the evidence or witnesses;
- ii) That he shall attend court as and when called for;
- iii) That he shall not leave the jurisdiction of Meghalaya, except with due permission of the court concerned; and
- iv) That he shall bind himself on a personal bond of ₹ 30,000/- (Rupees thirty thousand) only with two sureties of like amount to the satisfaction of the Trial Court.

16. In view of the above, this petition is disposed of accordingly. No costs.

Judge