



Serial No. 02
Regular List

HIGH COURT OF MEGHALAYA
AT SHILLONG

AB No.18 of 2026

Date of decision: 04.06.2026

Shri. Enamul Hoque
Son of Late Haji Kolimuddin
Resident of village Namabilla
P.O- Haripur, P.S. Rajabala,
West Garo Hills District, Meghalaya

.... Applicant

Vs

1. State of Meghalaya
Represented by the Commissioner and Secretary,
Home Police Department, Meghalaya, Shillong.
2. Superintendent of Police,
West Khasi Hills District, Meghalaya.
3. The Director General of Police,
Government of Meghalaya, Shillong.
4. The Superintendent of Police
West Garo Hills District, Tura Meghalaya.
5. Officer in charge,
Araimile Police Station, West Garo Hills District,
Tura 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 |



For the Petitioner/Appellant(s) : Mr. K. CH. Gautam, Adv.
Ms R. Kharshiing, Adv.

For the Respondent(s) : Mr. N.D. Chullai, AAG with
Mr. A. H. Kharwanlang, Addl. PP.

ORDER (ORAL)

1. Heard Mr. K.CH. Gautam, learned counsel for the petitioner, who has submitted that this application has been preferred with a prayer for grant of anticipatory bail as far as the applicant is concerned.
2. It is submitted that an FIR dated 10.03.2026 was lodged before the officer in charge Songsak Police Station, wherein, the name of the applicant has figured thereunder, the complaint, being that he, along with some other people have instigated communal tension and promoting enmity for gaining political mileage in the upcoming elections of the Garo Hills Autonomous District Council.
3. Accordingly, Police have registered 3 cases, being Aramile P.S. Case No. 19 /2026 under sections 196(a) (b) and 351(2) of the BNS, 2023, Songsak P.S. Case No. 07 of 2026 under section 196(1), 197(1), 352, and 353(1)(b)(c)(2) of the BNS, 2023 and Phulbari P.S. case No 11 of 2026 under section 192, 196(c), 57, 353(2), and 324(5)(6) of the BNS 2023 read with Section 6A, 8 and 8A of the Meghalaya Maintenance of Public Order Act.
4. However, the applicant has approached this Court, particularly in connection with Aramile P.S. Case No. 19 of 2026.



5. The learned counsel has submitted that, admittedly, at the relevant point of time, there was some social unrest in the Garo hills region and the result was the registration of a number of FIRs, filed by a number of persons or organisations.
6. However, the situation has considerably eased with passage of time and the proposed election to the Garo Hills Autonomous District Council being put on hold for the time being.
7. The fact that the applicant has been named in the said FIR, therefore, there is an apprehension that he may be arrested at any point of time. In spite of the offence attributed to have been committed by him, if convicted, carrying a sentence of imprisonment of 2 or 3 years.
8. It is also the submission of the learned counsel that the applicant was not issued with any notice under section 35(3) of the BNSS.
9. Considering the case of the applicant, it is prayed that, he may be enlarged on anticipatory bail with any condition that this Court may deem fit and proper to impose.
10. Mr. N.D. Chullai, learned AAG, along with A. H. Kharwanlang, learned Addl. Sr. GA has submitted that the case diary has been produced before this court and admittedly, the situation in the Garo hills region has eased, but there is always the possibility of imminent flare-up of such event. If this Court is inclined to allow the prayer made in this application, strict conditions may be imposed to restrain the applicant from conduct which may be detrimental to public safety.



11. This court having heard the parties and on perusal of the case diary, is made to understand that because of some commotion in the Garo hills area in the recent past, there was tension in society and conflict has arisen between groups of people. The applicant was also accused and branded as one of the perpetrators, leading to such unrest.

12. However, as admitted by the parties herein, the situation relatable to the alleged acts of the applicant has subsided and as such considering the fact that the applicant is a named accused, his apprehension of imminent arrest is found reasonable.

13. Taking into account the sections of law, attributed to the acts of the applicant and punishment for such act, if convicted, this court is of the view that the prayer made in this petition be allowed.

14. Accordingly, this application is allowed.

15. In the event of his arrest, the applicant is directed to be released on bail under the following conditions;

- a. That he shall not abscond or tamper with the evidence or witnesses;
- b. That he shall appear before the IO as and when called for;
- c. That he shall not leave the jurisdiction of Meghalaya, except with due permission of the court concerned;
- d. That he shall not act in any manner which would cause tension or friction in societal relations between the communities, and



e. That he shall bind himself on a personal bond of 30,000/-(Rupees thirty thousand) with one surety of like amount to the satisfaction of the Trial Court.

16. The interim bail granted is hereby made absolute.

17. CD is returned.

18. Matter disposed of.

(W. Diengdoh)
Judge

Meghalaya
04.06.2026
"Khrav"