



Serial No. 02
Regular List

HIGH COURT OF MEGHALAYA
AT SHILLONG

BA. No. 74 of 2026

Date of Decision: 25.08.2026

Vivek Phukan
Aged about 37 years,
Brother of Naendra Nath Sinha,
Resident of Syndicate Orchid Apartment,
Hengrabari Road, P.O & P.S. – Dispur,
District Kamrup (M) Assam
Pin – 781006.

..... **Petitioner**

- Vs-

1. The State of Meghalaya, represented by
Superintendent of Police,
West Garo Hills, Tura, Meghalaya.
2. Officer-in-Charge, Tura Police Station,
West Garo Hills, Meghalaya.

..... **Opposite Parties**

Coram:

Hon'ble Mr. Justice W. Diengdoh, Judge

Appearance:

For the Petitioner/Appellant(s) : Mr. S. Chowdhury, Adv.
Ms. M. Surong, Adv.

For the Respondent(s) : Mr. H. Kharmih, Addl. PP with
Mr. Atiar S. Dey, GA.

i) Whether approved for reporting in Yes/No



Law journals etc.:

ii) Whether approved for publication
in press:

Yes/No

JUDGMENT AND ORDER (ORAL)

1. Mr. H. Kharmih, learned Addl. PP appearing on behalf of the State respondent has produced the status report dated 21.08.2026 as far as the investigation into Tura P.S. Case No. 83/2024 registered under Sections 468/417/418/419/420 IPC is concerned, to say that a perusal of the said status report, also involving a number of cases, the investigation is still in progress. Admittedly, the charge sheet has not yet been filed till date.

2. Mr. S. Chowdhury, learned counsel for the petitioner has submitted that in view of the stated position of law as far as default bail is concerned, the accused brother of the petitioner i.e. Narendra Nath Sinha may be enlarged on default bail with any conditions that this Court may deem fit and proper to impose.

3. On consideration of the submission made by the learned counsel for the parties, and on perusal of the said status report, relevant observation made by the Investigating Officer is extracted herein as under:

“5. CONCLUSION

5. The investigation into Tura PS Case No. 83/2024 is at an active stage and is being conducted diligently. The above status report is



submitted for kind information, and further report shall be submitted as the investigation progresses.”

4. Accordingly, since the charge sheet could not be filed within the mandatory period of 60 days, qua the offences involved, therefore, the prayer for grant of default bail is allowed.

5. The accused person in question is directed to be enlarged on default bail, if he is not wanted in any other case 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 and Assam, 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 one surety of like amount to the satisfaction of the Trial Court.

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

7. Let copy of this order be issued upon the Superintendent, District



Prisons and Correctional Home, West Garo Hills, Tura for compliance.

Judge