GAHC020005872026

THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)
KOHIMA BENCH

Case No. : I.A.(Crl.)/32/2026

SHRI TEMJENYAPANG
S/O LATE KORALIBA, R/O NOTUN BASTI, DIMAPUR - 797112

VERSUS

THE STATE OF NAGALAND AND ANR
PUBLIC PROSECUTOR, NAGALAND 2:K. ELA
COLLAB DIRECTOR (CHILDLINE DIMAPUR)
79711

Advocate for the Petitioner : JAMES NEWMAI,

Advocate for the Respondent : P.P, NAGALAND,

BEFORE
HON'BLE MRS. JUSTICE YARENJUNGLA LONGKUMER
HON'BLE MR. JUSTICE ANJAN MONI KALITA

ORDER

Date : 29-07-2026

29.07.2026

(Yarenjungla Longkumer, J)

The instant application under section 430 of the BNSS has been filed by the applicant praying for extension of temporary bail granted to the applicant/convict vide order dated 24.06.2026.

Heard the learned counsel for the applicant/convict Mr. James Newmai.

The applicant states that he has filed an appeal before this Court against the judgment and order dated 26.09.2025 passed by the learned Special Judge, POCSO Act Dimapur in G.R 354/2019. By judgment and order dated 26.09.2025, the applicant/convict has been convicted and sentenced to undergo a term of 38 years Rigorous Imprisonment. During the pendency of the said Crl.A.(J) 12/2025, the applicant had preferred I.A (Crl) 39/2025 praying for suspension of the sentence pending appeal and release the applicant on bail on the ground of medical urgency. This Court had allowed the application vide order dated 11.02.2026 and released the applicant for 30 days from the date of his release from Central Jail. Before the expiry of the order dated 11.02.2026 passed by this Court, the applicant again preferred a subsequent I.A praying for extension of temporary bail granted to the applicant/convict and the application was allowed by this Court vide order dated 11.03.2026 extending the temporary bail for another 60 days considering the health condition of the applicant. Before the expiry of the bail order dated 11.03.2026, the applicant/convict again preferred the subsequent I.A (Crl) 13/2026 praying for extension of the temporary bail granted to the applicant/convict vide order dated 11.03.2026 on medical ground and this Court by order dated 14.05.2026 allowed the said application extending the temporary bail allowing the applicant to undergo medication for optimization before surgery and also to undergo the surgery within that period. Another

application was moved for extension of the bail granted on 14.05.2026 as surgery could not be conducted as planned because of his poor health condition and this Court extended the bail for another 30 days w.e.f 29.06.2026 to enable the applicant to undergo surgery.

It is the submission of the learned counsel for the applicant that subsequently, after the completion of prescribed medication, the applicant had undergone surgery and was instructed for a review on 29.07.2026 and also for biopsy report and suture removal. However, the applicant developed some pain and was taken to hospital on 25.07.2026 and after check-up the suture removal has been postponed to 03.08.2026. It is submitted that as per the bail order dated 24.06.2026, 30 days period expires on 29.7.2026 however, the applicant is yet to fully recover and removal of the suture is also awaited. Therefore, he prays that the bail order dated 24.06.2026 may be extended further for another few more days.

The learned P.P. Ms. Livika has raised objection in this application on the ground that removal of the suture can be done inside the jail as jail authorities can be directed to provide necessary medical assistance.

The learned Legal Aid counsel for the respondent No.2 Ms. Lhousino has also made similar submissions.

We have duly considered the prayer of the applicant/convict. We have also observed that since the applicant has been on bail since the order dated 11.02.2026, the applicant has been given sufficient time to attend to his health

condition and undergo Laparoscopic surgery as sought by the applicant.

At this stage, the extension is only sought for removal of the stitches and we are of the view that such removal can be done inside the Jail with the supervision of the Jail authority.

In view of above, the application is rejected. However, the Jail authorities are directed to provide necessary medical assistance in order to remove the stitches. The applicant shall surrender before the Superintendent, Central Jail on 30.07.2026.

I.A is disposed of.

Sd/-
JUDGE

Sd/-
JUDGE

Comparing Assistant