Serial No. 01
Regular List

HIGH COURT OF MEGHALAYA
AT SHILLONG

AB. No. 15 of 2024

Date of Decision 06.11.2024

Shri. Teiberius Kharmyndai,
S/o Dawan Kharmyndai
Aged about 21 years
R/o Nongspung village,
East Khasi Hills District,
Meghalaya.

…… **Petitioner**

-Vs-

1. State of Meghalaya
Represented by its Commissioner
& Secretary, Home Department,
Shillong.

2. The Investigation Officer/Police Inspector,
Mawngap Police Station,
East Khasi Hills District,
Meghalaya.

3. Smti. Mehilda Syiemiong,
W/o Shri. Kynphamsing Jyrwa
R/o Pyndenglitha village,
East Khasi Hills District,
Meghalaya – 793121.

…… **Respondents**

Coram:

Hon'ble Mr. Justice W. Diengdoh, Judge

Appearance:

For the Petitioner/Appellant(s)	:	Mr. R. Majaw, Adv.
For the Respondent(s)	:	Mr. S. Sengupta, Addl. PP. with Mr. S.A. Sheikh, GA. for R 1 & 2.

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

JUDGMENT (ORAL)

1. Heard Mr. R. Majaw, learned counsel for the petitioner, who has submitted that this is an application under Section 482(1) of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 for grant of anticipatory bail in favour of the petitioner, wherein he is apprehending arrest in connection with Mawngap P.S. Case No. 22 (05) 2024 under Section 5(l)(j)(ii)/6 of the POCSO Act.

2. This Court in the first instant, on the prayer of the petitioner had granted him interim bail with direction that he should appear before the Investigating Officer (I/O) and cooperate with the investigation.

3. At this juncture, the learned counsel has submitted that the petitioner had cooperated with the investigation and has also appeared before the I/O as directed, and his statement was also recorded by the

I/O. Since, there is an apprehension of arrest in connection with the aforementioned police case, therefore, the petitioner has now made a prayer that he may be granted anticipatory bail.

4. Mr. S. Sengupta, learned Addl. PP appearing on behalf of the State respondents, on the other hand, has produced the latest status report dated 10.09.2024 filed by the I/O, wherein the I/O in the last paragraph of the report had categorically stated that the petitioner is cooperating with the investigation and his custody will not be required for investigation in the case.

5. This being the case, since the custody is no longer required by the I/O, there is no question of apprehension at this point of time. Accordingly, this application is hereby dismissed and disposed of.

6. The interim order stands discharged.

Judge

Signature Not Verified
Digitally signed by
DARIKORDOR NARY
Date: 2024.11.06 17:01:09 IST