



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

Case No. : Bail Appln./23/2025

SHRI THOU SAHRIINI
BROTHER OF SHRI TH PAVIKHO, R/O LAII VILLAGE, TADUBI, SENAPATI-
795104, MANIPUR

VERSUS

STATE OF NAGALAND
NAGALAND KOHIMA

Advocate for the Petitioner : SENTIYANGER,
KEVISERIENUO, YUKHAKOKLA, MAONGKALA, WAPANGLEMLA, NOCKLEI M
KONYAK, KONLI BUCHEM, ALEMWAPANG AO

Advocate for the Respondent : P.P, NAGALAND,

**BEFORE
HON'BLE MRS. JUSTICE YARENJUNGLA LONGKUMER**

ORDER

Date : 07-10-2025

The present application has been filed under section 483 BNSS for grant of bail to the accused and for modification of this Court's order dated 22.09.2025 passed in B.A. 18/2025.

2. Heard the learned counsel for the petitioner Mr. Senti-yanger as well as Ms. S. Mere, learned P.P. for the State respondents.

3. The case of the petitioner is that the petitioner had earlier filed B.A.18/2025 before this Court and this Court by order dated 22.09.2025 had allowed the petition with the following conditions.

- i) Execution of a bail bond of Rs. 50,000/-(fifty thousand) with one surety of like amount who shall be a local resident of Kohima.
- ii) The accused shall cooperate with the investigation agency and he shall not try to influence or temper with the evidence and he shall not leave the jurisdiction of the Trial Court without permission of the Court.

4. Thereafter, the petitioner had approached the Trial Court for execution of the bail bond. However, it is stated at paragraph 8 of the petition that the learned Special Judge NDPS, Kohima expressed difficulty to execute the order of this Court dated 22.09.2025 passed in B.A.18/2025 by verbally citing that no specific direction has been given to the Trial Court to execute the said bail order. Being left with no other option, the petitioner is now before this Court praying for modification of the order dated 22.09.2025 passed in B.A.18/2025 in order to enable him to execute the bail bond of Rs.50,000/- to the satisfaction of the Trial Court.

5. At the outset, the learned P.P has objected to the maintainability of the application on the ground that bail has already been granted and therefore, there is no possibility of a second bail application being filed by the petitioner when the previous petition has already been allowed and the matter has been disposed of finally.

6. The learned P.P. has also submits that as per section 362 of the Cr.PC corresponding to section 403 BNSS, no Court, when it

has signed its judgment or final order disposing the case shall alter nor review the same except to correct a clerical or arithmetical error. The learned P.P. therefore submitted that the present petition has been filed on the wrong premises of law.

7. This Court has considered the submissions of the learned counsel for the petitioner as well as the learned P.P.

8. The Court is concerned with the implementation of the Court's order dated 22.09.2025 passed in B.A. 18/2025. There is no bar for this Court to treat the present petition as one under section 528 BNSS/482 Cr.PC and to exercise the inherent powers of the Court in the interest of justice. The High Court does not itself takes bonds and the verification of sureties are to be done by the Trial Court or the Court in Seisin. Therefore, when this Court gives a direction to execute bail bonds, it is implied that the bonds will be executed by the Trial Court. Accordingly, this application is disposed of with a clarification that the execution of bail bond of Rs.50,000/- with one surety of the like amount shall be executed before the Trial Court concerned.

9. The Application is disposed of.

**Sd/-
JUDGE**

Comparing Assistant