GAHC020009222026 2026:GAU-NL:617

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

Case No. : Bail Appln./29/2026

SAPANA RANAPAL
W/O SHRI INDRA RANAPAL, R/O KEZIEKIE COLONY, KOHIMA, NAGALAND

VERSUS

STATE OF NAGALAND
KOHIMA NAGALAND

Advocate for the Petitioner : PAKINRICHAPBO, NYUCHITHO L NYUTHE,PAAZUSOUL ROSU,THEPFUKEDO

Advocate for the Respondent : P.P, NAGALAND,

BEFORE
HONBLE MR JUSTICE NCHUMBEMO MOZHUI

ORDER

16/11/2026

Heard Mr. Pakinrichapbo, learned counsel for the petitioner. Also heard Mr. Veto Zhimomi, learned Public Prosecutor for the State.

2. The instant application is filed under 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, praying for bail pending trial before the learned Principal District & Sessions Judge, Kohima, Nagaland on medical ground.

3. The accused was arrested on 10.08.2026 on the basis of an FIR by the neighbors on the ground that the accused had physically assault her adopted son and subsequently Woman P.S Kohima Case No. 0015/2026 under Section 109/118 (2) BNS r/w Section 75 of the Juvenile Justice (Care and Protection of Chindren) Act, 2015 was registered. The petitioner/accused was produced before the court and a case bearing GR. No. 97/2026 was registered which is pending trial before the learned Court below.

4. The learned counsel for the petitioner/accused submits that she is currently under judicial custody and the investigation has been completed and the charge sheet has been filed by the Investigating Officer and the same is pending for consideration of the charge by the learned Court below.

5. The learned counsel for the petitioner/accused further submits that the petitioner had earlier approached this Hon'ble Court by filing Bail Application No. 27/2026, which was rejected by Order dated 15.10.2026. The bail was rejected by this court on the ground that the provisions of the compliance of Section 48 of BNSS, 2023 by the investigating agencies and not as alleged.

6. The learned counsel further submits that the petitioner/accused is currently under judicial custody, however, she developed medical

complication and accordingly she was taken to NHAK, Hospital, Kohima for treatment and she was diagnosed by the treating doctor that the accused is suffering with a substantially large stones measuring 2.2 cm on the gall bladder and for which she was given medicine. Being diagnosed with the ailment and on the recommendation of the doctor, the petitioner/accused filed Interlocutory Application No. 204/2026, before the learned Principal District & Sessions Judge, Kohima, but the same was rejected by order dated 22.10.2026.

7. Thereafter, the petitioner/accused was taken to the NHAK, Hospital, Kohima on 05.11.2026, whereby the treating doctor had recommended for *Cholecystectomy* surgery fixed on 23.11.2026.

8. However, when the matter was taken up on 13.11.2026, the petitioner/accused had not annexed/filed the medical report from the Surgery OPD dated 05.11.2026 recommending from surgery fixed on 23.11.2026.

9. The learned counsel for the petitioner/accused was directed to produce the recommendation from the doctor dated 05.11.2026 and also place the same on record by way of an additional affidavit.

10. In compliance of the court's order, the counsel had filed an additional affidavit bringing on record the medical report from the Surgery OPD dated 05.11.2026, whereby the treating doctor had recommended for *Cholecystectomy and Hypertension* and the appointment for surgery for the same fixed on 23.11.2026.

11. Mr. Veto Zhimomi, learned Public Prosecutor for the State fairly

submits that he is in receipt of the Letter No. DJK/PRI-IV/3/2026/266 dated 05.11.2026 from the Superintendent of Jail, District Jail, Kohima, wherein the recommendation of the doctor for surgery fixed on 23.11.2026 was brought to the notice of the learned court below. The learned Public Prosecutor submits that taking into consideration of the health condition and more particularly, since the petitioner/accused is to undergo surgery, he has no objection if the bail is granted with conditions as deem fit by this Hon'ble Court.

12. Upon consideration of the submission of the parties and on perusal of the records, more particularly, the recommendation of the treating doctor to undergo surgery on 23.11.2026, this Court is inclined to grant interim bail to the petitioner/accused so as to enable her to undergo the surgery as recommended, under the following terms and conditions: -

a) The petitioner/accused be released on interim bail for a period of 2 (two) months to enable her to undergo surgery at NHAK, Hospital, Kohima as recommended by the treating doctor.

b) The petitioner/accused shall furnish a bail bond of Rs. 30,000/- (Rupees Thirty Thousand) with a local surety of like amount.

c) The petitioner/accused during the period of interim bail shall not temper with the evidence.

d) The petitioner/accused shall appear before the learned Principal District & Sessions Judge, Kohima, who shall release the accused on interim bail subject to other terms and conditions and to the satisfaction of the learned court below.

e) The petitioner/accused on the expiry of the interim bail shall surrender before the court of learned Principal District & Sessions Judge, Kohima, thereafter, the learned Court below shall pass appropriate order in accordance with law.

13. With the above observation and directions, the instant petition stands allowed and disposed off.

JUDGE

Comparing Assistant