

HIGH COURT OF MEGHALAYA
AT SHILLONG

AB No. 32 of 2023

Date of order: 29.08.2023

Jita N Marak

vs

State of Meghalaya

Coram:

Hon'ble Mr. Justice Sanjib Banerjee, Chief Justice

Hon'ble Mr. Justice H. S. Thangkhiew, Judge

Hon'ble Mr. Justice W. Diengdoh, Judge

Appearance:

For the Applicant : Mr M. Mukherjee, Sr Adv. with
Ms B. Dikshit, Adv.
Mr U. Khanna, Adv.
Mr B. Manna, Adv.

For the Respondents : Mr A. Kumar, Advocate-General (VC) with
Mr K. Khan, AAG
Mr A.H. Kharwanlang, Addl Sr GA
Mr N. Syngkon, GA
Ms A. Thungwa, GA
Ms S. Laloo, GA

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

JUDGMENT: (per the Hon'ble, the Chief Justice) (Oral)

The matter is taken up by this Bench pursuant to an order of the Supreme Court passed on August 7, 2023.

2. The State is represented.

3. The petitioner apprehends arrest in connection with the illegal coke operations in the State in respect whereof several orders have been passed by this Bench.

4. Considering the nature and gravity of the accusation against the petitioner, it may not be necessary to immediately arrest the petitioner. The petitioner will furnish a bond for Rs. 10,000/- and a surety for an equal amount within a week from date to the satisfaction of the Chief Judicial Magistrate, West Khasi Hills district.

5. The petitioner will abide by the conditions in Section 438(2) of the Code of Criminal Procedure, 1973. In addition, the petitioner will be available at the following mobile number 8731873223. The petitioner will be obliged to disclose the petitioner's whereabouts when contacted on such mobile number. The petitioner will not leave the State of Meghalaya, except for going to Assam, for more than seven days at a stretch without previously informing the investigating officer. In breach of any of the conditions, the benefit accorded by this order to the petitioner will no longer apply.

6. In the event the State obtains incriminating material against the petitioner warranting his custodial interrogation, the State will be at liberty to apply for cancellation.

7. AB No. 32 of 2023 is disposed of.

(W. Diengdoh)
Judge

(H.S. Thangkhiew)
Judge

(Sanjib Banerjee)
Chief Justice

Meghalaya
29.08.2023
"Sylvana PS"