
(2025) 02 MEG CK 0937

In the Meghalaya High Court

Case No : Bail Application No. 78 Of 2024

Balkame Sangma

APPELLANT

Vs

State Of Meghalaya & Ors.

RESPONDENT

Date of Decision : 07-02-2025

Acts Referred:

Citation : (2025) 02 MEG CK 0937

Hon'ble Judges : W. Diengdoh, J

Bench : Single Bench

Advocate : P.T. Sangma, K. Khan, S. Sengupta, R. Gurung

Judgement

W. Diengdoh, J

Pursuant to this Court's order dated 17.12.2024 as far as the confirmation of the issuance of notice upon the respondent No. 5 is concerned, Mr. P.T. Sangma, learned counsel for the petitioner has submitted that affidavit of service could not be filed prior to this day, and prays that the same may be allowed to be filed in course of the day. However, it is reiterated that the notice upon the respondent No. 5 has since been affected. Prayer is allowed.

The learned counsel has also made a fresh submission as to the merits of the case to say that the petitioner hereby raised the issue of entitlement to default bail as far as the accused person in question is concerned, since counting from the date the FIR was filed i.e. on 06.10.2024, till date, about four months or literally more than 90 days have elapsed, but the charge sheet is yet to be filed by the Investigating Officer. Accordingly, the accused person, irrespective of the merits of the case, is entitled to be enlarged on default bail.

In counter, Mr. K. Khan, learned PP assisted by Mr. S. Sengupta, learned Addl. PP and Mr. R. Gurung, learned GA prays that he may be allowed to seek specific instructions as to whether the charge sheet has been filed within the statutory period. Accordingly, on prayer made, the same is allowed.

List this matter on 11.02.2025.