

HIGH COURT OF MEGHALAYA
AT SHILLONG

AB No. 3 of 2026

Date of order: 25.03.2026

Shaniahlang Suchen

Vs

State of Meghalaya & ors

Coram:

Hon'ble Mr. Justice W. Diengdoh, Judge

Appearance:

For the Petitioner/Appellant(s) : Ms. R. Fancon, Adv.

Mr. Th. R Singh, Adv.

For the Respondent(s)

: Mrs. N.G. Shylla, SR. GA with

Mr. A.H. Abraham, GA

Mr. J.N. Rynjah, GA.

1. Heard Ms. R. Fancon, learned counsel for the petitioner, who has submitted that an FIR was lodged before the In-charge, Ladrymbai Police Outpost by Shri Dawanoo Rymbai, Waheh Shnong, Lama Village, the contents of which relates to an incident which took place on 03.03.2026, wherein, in course of official inspection of some disputed land, such inspection being done in the presence of Executive Magistrate from Deputy Commissioner's Office, East Jaintia Hills District. An altercation took place, wherein, the FIR took place, those involved in such commotion have been named in the said FIR, the name of the petitioner being one of such persons alleged to be involved in such incident.

2. The FIR being registered as Khliehriat P.S. Case No. 104 of 2026 under Section 109 BNS, 2023, the petitioner herein has accordingly now approached this Court with a prayer for grant of pre arrest bail.

3. It is the submission of the learned counsel for the petitioner on the day when the said alleged incident took place, the petitioner was never at the place of occurrence, in fact he was taking care of his ailing mother at Nazareth Hospital, Shillong who was admitted in to such hospital from the month of February and who eventually expired on 12th March, 2026. The learned counsel has also produced evidence in the form of receipt issued by the hotel, that is, at Prakash Hotel, Laitumkhrah, Shillong, where they were lodged from 01.03.2026 to 04.03.2026.

4. This is only one of such evidence to support the alibi placed by the petitioner herein, in view of such fact, it is prayed that the prayer made in this petition be allowed.

5. Mrs. N.G. Shylla, learned Sr. GA assisted by Mr. H. Abraham and Mr. J.N. Rynjah, learned GA for the State respondents, has opposed the prayer made in this petition on the ground that the Investigating Officer (I/O) in course of investigation, has examined some eyewitnesses who were present at the place of occurrence when the said incident took place, and these eyewitnesses has definitely identified the petitioner herein as one of those involved in the incident. Therefore, the plea of alibi even in the form of documentary proof cannot be accepted, though these are matters of evidence submits the learned Sr. GA. As such, she prays that this petition may be dismissed on the ground that the petitioner has not been able to make out a case for grant of pre arrest bail.

6. This Court has heard the submission of the parties and have also perused the record, as well as the materials therein as to the contention of the petitioner as far as the plea of alibi is concerned, wherein, he has clearly indicated that he was not present at the place of occurrence when the said

incident took place, he was taking care of his ailing mother at Nazareth Hospital, Shillong.

7. In fact, on that particular day, he was busy commuting from Nazareth Hospital to NEIGRIHMS to facilitate the process of blood transfusion for his mother, as such, he could not have been at the place of occurrence on the date of the incident.

8. In view of the contradictory statement made by the parties herein, at this stage, this Court would direct the I/O to continue with the investigation, and particularly, to look into this aspect of the matter as far as the plea of alibi is concerned. The I/O is to file his status report on the next date fixed.

9. In the meantime, as prayed for, interim bail is hereby granted on conditions that the petitioner shall not tamper with the evidence or witnesses and shall appear before the I/O as and when required.

10. List this matter on 1st April, 2026.

(W. Diengdoh)
Judge

Meghalaya
25.03.2026
"Khrw"