

HIGH COURT OF MEGHALAYA
AT SHILLONG

AB No. 7 of 2026

Date of order: 08.04.2026

Neris Lamare

Vs.

State of Meghalaya & ors

Coram:

Hon'ble Mr. Justice W. Diengdoh, Judge

Appearance:

For the Petitioner/Appellant(s) : Ms. A.D. Syiem, Adv.
Mr. G. Syngkrem, Adv.
Mr. D. Chadong, Adv.
Mr. R.B. Hinge, Adv.

For the Respondent(s) : Ms. N.G. Shylla, Sr. GA with
Ms. S. Kh. Nongrum, GA

1. Heard Ms. A.D. Syiem, learned counsel for the petitioner, who has submitted that an incident had taken place on 03.03. 2026 at a place called the Khlieh Wah Rakhiang in the East Jaintia Hills District which involves a dispute over land matters, the dispute being between two groups of people from two different localities.

2. It is said that pursuant to the directions by the District Administration for inspection of the disputed land, a number of people have gathered at the said land and in course of the said inquiry, there was an altercation between the two groups, as a result of which some suffered injuries and gun shot were also fired.

3. In such a situation, an FIR was filed by the Waheh Shnong and Secretary of Lama Village, the FIR being registered as Khliehriat P.S. Case No. 104 of 2026 under Section 109 BNS, 2023.

4. In course of investigation, the investigating officer had recorded the statement of a number of witnesses, such witnesses have also indicated or rather have identified some of those perpetrators who were present at the said place of occurrence.

5. The petitioner herein, being one of such person/accused to have been involved in the said incident accordingly, he has firstly, preferred an application for grant of pre arrest bail before the learned Session Judge, East Jaintia Hills District. The said application was rejected vide order dated 16th March, 2026 with a direction to the petitioners therein, including the petitioner herein to surrender before the investigating officer within 48 hours.

6. Ms. A.D. Syiem, learned counsel for the petitioner has submitted that the petitioner has now approached this Court with this instant application, seeking grant of pre arrest bail on the ground that the petitioner is highly apprehensive of being arrested in connection with the said Khliehriat P.S. Case No. 104 of 2026.

7. The learned counsel has also submitted that the petitioner was never present at the place of occurrence when the said incident took place, on that particular day and time, he was engaged in harvesting beetle nut at his field/land which is situated at Wahstar being about 6-7 kilometres from the said P.O.

8. The learned counsel has also submitted that apart from the fact that the petitioner is not at all involved in the said incident, being a person of about 61 years or so, therefore, as a senior citizen, he has accordingly approached this Court with the prayer for grant of pre-arrest bail.

9. It is prayed that this petition be allowed and this Court be pleased to grant pre-arrest bail, even with any conditions to be imposed accordingly.

10. In the event, the Court decides to dispose this matter at a later date, then interim bail is accordingly prayed for.

11. Ms. N.G. Shylla, learned Senior GA has strongly opposed the prayer made in this petition and has submitted that the fact that the petitioner has approached the Sessions Court with similar prayer, which prayer was rejected with a direction to surrender before the IO, such order being passed on 16. 03. 2026 the petitioner herein failing to comply with such order has therefore forfeited his right to approach this Court on the same grounds with the same prayer.

12. The contention of the petitioner that he is a senior citizen of advanced age is also not tenable under facts and circumstances of the case, being one involving serious offence, as such, on this ground too, the petitioner cannot come before this Court with the prayer made, submits the learned Senior GA.

13. On the prayer for grant of interim bail, the learned Senior GA has also expressed strong opposition to the same on the ground that, since the incident is of 03. 03. 2026, the order passed by the learned Session Judge being dated 16. 03. 2026 and since then till today, the petitioner has not been arrested, as such, the question of apprehension will not arise at this point of time.

14. It is prayed that this petition may be dismissed as devoid of merits.

15. This Court has heard the submission of the parties and has also perused the materials on record including the said Order dated 16. 03. 2026 passed by the learned Session Judge.

16. It is a fact that by such order, the petitioner was directed to surrender before the IO, which he has apparently failed to do so, allegedly, on the ground that he apprehends imminent arrest.

17. This submission finds no favour with this Court, since a judicial order has been passed and the same has to be complied with, it is also noticed that no appeal has been preferred against the said order dated 16.03.2026.

18. Be that as it may, at this point of time, this Court would direct the prosecution to produce the Case Diary with the latest status report on the next date fixed.

19. List this matter on 14th April, 2026 for further hearing.

(W. Diengdoh)
Judge

Meghalaya
08.04.2026
“*Khraw*”