

**IN THE HIGH COURT OF MANIPUR
AT IMPHAL**

AB No. 12 of 2026

Khwairakpam Maipaksana Singh, aged about 52 years S/O.
Kh. Pabung Singh, a resident of Awang Sekmai Makha Leikai,
PO & P.S Sekmai, Imphal West District, Manipur.

.....Petitioner

Vs.

1. Officer-in-Charge, Sekmai Police Station, Manipur
2. Smt. Khwairakpam Romita Devi, aged about 45 years, W/o Thangjam Samananda Singh of Sekmai Mayai Leikai, P.O. & P.S. Sekmai, Imphal West, Manipur.
3. Smt. Maisnam Usharani Devi, aged about 36 years, W/o Khwairakpam Ranjit Singh of Sekmai Mayai Leikai, P.O. & P.S. Sekmai, Imphal West District, Manipur.
4. Smt. Yumlembam Romila Devi (M/o Usham Wicania), aged about 41 years, W/o Usham Romeo of Awang Sekmai Awang Leikai, P.O. & P.S. Sekmai, Imphal West District, Manipur.
5. Smt. Heisnam Subhasini Devi, aged about 41, W/o U. Robert Singh & D/o H. Ibomcha Singh of Awang Sekmai Mayai Leikai, P.O. & P.S. Sekmai, Imphal West District, Manipur.

..... Respondents

With

Crl. M.C. No. 13 of 2026

Khwairakpam Maipaksana Singh, aged about 52 years S/O.
Kh. Pabung Singh, a resident of Awang Sekmai Makha Leikai,
PO & P.S Sekmai, Imphal West District, Manipur.

.....Applicant/Petitioner

Vs.

Officer-in-Charge, Sekmai Police Station, Manipur

..... Respondent

B E F O R E
HON'BLE MR. JUSTICE AHANTHEM BIMOL SINGH

For the Petitioner : H. Chandrakumar Singh, Advocate
For the respondents : Y. Ashang, Sr. Advocate & PP
Y. Robert, Advocate.
Date of Hearing : 19.05.2026
Date of Order : 19.05.2026

ORDER (ORAL)

[1] Heard Mr. H. Chandrakumar Singh, learned counsel appearing for the petitioner and Mr. Y. Ashang, learned senior counsel and PP assisted by Mr. Y. Robert, learned counsel appearing for the respondents.

[2] The present application has been filed by the petitioner under section 482 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 for granting anticipatory bail in the event of his arrest in connection with FIR No. 3 (1) 2026 SEK-PS U/S. 115 (1)/118 (1)/131/74 BNS 2023, Sec.8 POCSP Act & 25 (1-C) Arms Act.

[3] The brief facts of the case is that on a complaint dated 25.01.2026 made by the Mothers of 4 (four) minor girls to the officer-in-charge, Sekmai Police Station, an FIR No. 3 (1) 2026 SEK-PS U/S. 115 (1)/118 (1)/131/74 BNS 2023, Sec.8 POCSP Act

& 25 (1-C) Arms Act was registered on 25.01.2026 against the petitioner. After registration of the said FIR, the concerned officer-in-charge, Sekmai Police Station issued a notice dated 03.02.2026 under section 35 (3) of the BNSS informing the petitioner to appear before the officer-in-charge at Sekmai Police Station on 04.03.2026 at 10:00 am in connection with the said FIR.

When the petitioner did not appear before the police personnel pursuant to the said notice dated 03.02.2026, the police personnel visited the house of the petitioner. However, the petitioner was found to be absent. Subsequently, the officer-in-charge, Sekmai Police Station issued another notice dated 11.03.2026 under sub-section (3) of section 35 of the BNSS, 2023 informing the petitioner to appear before the Juvenile Justice Police, Imphal West, SP on 12.03.2026 at 10:30 am to ascertain the fact and circumstances of the complaint made against the petitioner. Despite the said notice, the petitioner did not appear before the Police Personnel and he also remained absent without extending any co-operation to the Police Personnel.

[4] As the petitioner remained absent and failed to give any co-operation to the Police Personnel with regard to the investigation in connection with the said FIR, the I.O. of the case moved an application before the Court of Special Judge (POCSO), Imphal West, which was registered as Cril. Misc. Case No. 45 of 2026 for issuing non-bailable warrant of arrest against the petitioner.

The said application was disposed of by the Special Judge (POCSO), Imphal West by an order dated 23.03.2026 issuing non-bailable warrant of arrest against the petitioner. Despite the best efforts made by the Police, the petitioner is still absconding without extending any co-operation to the Police Personnel in connection with the investigation of the FIR case.

[5] The counsel appearing for the petitioner submitted that the alleged incident occurred in the evening of 24.01.2026 and the petitioner left for Guwahati in connection with the medical treatment of his brother on the next date, i.e. on 25.01.2026 and as such, the petitioner has no knowledge either of the registration of the FIR or the notice issued by the Police Personnel. Therefore,

the petitioner could not extend any co-operation to the Police Personnel with regard to the investigation of the case.

It has also been submitted by the learned counsel for the petitioner that on coming to know about the raid being carried out by the Police Personnel to his residence and on being apprehensive about his arrest, the petitioner moved an application before the Special Judge (POCSO), Imphal West registered as Cril. Misc. (AB) Case No. 08 of 2026 for granting anticipatory bail. However, the said application was rejected by the Special Judge (POCSO), Imphal West by an order dated 23.03.2026.

[6] The learned counsel appearing for the petitioner submitted that in the notice dated 03.02.2026 issued by the O.C. Sekmai Police Station under Section 35 (3) BNSS, the petitioner was informed to appear before him on 04.03.2026. However, without giving an opportunity to the petitioner to appear before the Police Personnel on the said date and time, the police took out raids at the house of the petitioner for arresting him. Apprehending such arrest, the petitioner has taken recourse to filing the present application for grant of anticipatory bail. The

learned counsel submitted that the action of the Police Personnel trying to arrest him without giving an opportunity to appear before the Police Personnel on the date fixed by them is arbitrarily and raised apprehension of being arrested by the Police Personnel.

[7] The counsel appearing for the petitioner submitted that the petitioner is presently working as a Businessman in his local areas and he is also working as Hony. Secretary of the DM Rao Football Club, Imphal West, Manipur. It has also been submitted that the petitioner intends to plunge into electoral politics by contesting the much-anticipated local body elections.

[8] In view of the above, the petitioner in order to avoid any stigma to his status in the society does not want to be arrested by the Police and that the petitioner intends to give full co-operation to the Police Personnel with regard to the investigation of the case after obtaining anticipatory bail so as to preserve his status in the society.

[9] Mr. Y. Ashang, learned senior counsel and PP appearing for the petitioner submitted that after issuing notice under section 35 (3) BNSS and when the petitioner did not

present himself before the Police Personnel, the Police Personnel conducted raids at the house of the petitioner, however, he was not found at his residence and the petitioner is evading from arrest in connection with the case. As the petitioner remained absconding and failed to extend any co-operation to the Police Personnel with regard to the investigation of the case, the I.O. of the case filed an application before the Special Court (POCSO), Imphal West for issuing a Non-Bailable Warrant of arrest against the petitioner and the said application was allowed by the Special Court (POCSO) by issuing Non-Bailable Warrant of arrest against the petitioner.

[10] The learned PP submitted that the petitioner has till today neither approach the Spl. Court for recalling or cancellation of the said Non-Bailable Warrant against him nor has the petitioner extended any co-operation to the Police Personnel with regard to the investigation of the case. It has also been submitted that as the petitioner himself claims to be a very influential person in the locality, there is a strong suspicion that he would influence or threaten the witnesses of the case and the minor victim girls, thereby causing hindrances and failure in the smooth investigation of the case, especially when there has been

accusation against the petitioner that he threaten the minor girls by holding a small firearm. It has also been submitted that the present anticipatory bail application is not maintainable inasmuch as there has been a judicial order issuing Non-Bailable Warrant of arrest by the concerned Special Court and the said order is still in force.

[11] The learned PP submitted that in view of the serious nature of allegations made against the petitioner by the minor girls and taking into consideration the fact that the petitioner is a very influential person in the locality, the custody of the petitioner and his interrogation to find out the real facts of the case are required and as such, the Anticipatory Bail needs to be rejected.

[12] I have heard at length the rival submission advanced by the learned counsel appearing for the parties and I have also carefully considered all the materials available on record.

It is on record that the Special Judge (POCSO), Imphal West rejected the earlier Anticipatory Bail Application filed by the petitioner on the ground that the materials on record appears to support the allegation of section 8 of POCSO Act against the petitioner which prescribes for punishment of sexual

assault and the alleged use of firearm is also something which needs to be probed in detail. As on today, when this Anticipatory Bail Application is heard on merit, nothing has been brought on record that the petitioner is willing and ready to cooperate with the investigation of the case and that the petitioner is still absconding from arrest despite the Non-Bailable Warrant of arrest issued by the Special Court (POCSO), Imphal West. It is also on record that till today, the petitioner has not even approached the Special Court (POCSO) for recalling or cancelling the said Non-Bailable Warrant of arrest.

[13] In view of the above, this Court finds no merit in the present application. Accordingly, the present Bail Application as well as the connected miscellaneous application are hereby dismissed.

JUDGE

FR/NFR

Sapana