



Serial No. 10
Regular List

HIGH COURT OF MEGHALAYA
AT SHILLONG

AB. No. 17 of 2026

Date of Decision: 12.05.2026

Shri. Banriki Hynthong
Son of Smti. Beautiful Hynthong
Resident of Lakadong Ummat
East Jaintia Hills District, Meghalaya

.... Petitioner

- Vs-

1. State of Meghalaya,
Represented by its Secretary, Home Police Department,
Govt. of Meghalaya, Shillong
2. Officer-in-charge,
Ladrymbai Police Outpost,
East Jaintia Hills District, Meghalaya
3. Officer-in-Charge,
Khliehriat Police Station,
East Jaintia Hills District, Meghalaya

.... Respondents

Coram:

Hon'ble Mr. Justice W. Diengdoh, Judge

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

Appearance:

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



For the Respondent(s) : Mr. N.D. Chullai, AAG with
Ms. Z.E. Nongkynrih, GA.

JUDGEMENT AND ORDER (ORAL)

1. An FIR dated 03.03.2026 has been lodged before the Officer-in-Charge, Ladrymbai Police Outpost, East Jaintia Hills District by two persons namely, Shri Dawanoo Rymbai, Waheh Shnong, Lama Village and Shri Charling Syrti, Secretary, Lama Village.
2. The contents of the FIR speak of a dispute between two villages i.e. Lama Village and Lakadong Ummat Village in the East Jaintia Hills District, indicating therein that two groups of villagers of these respective villages are involved in such dispute, which land is the subject matter of acquisition by the concerned authorities for construction of a Four Lane expressway.
3. From the FIR, it is also revealed that the office of the Deputy Commissioner, East Jaintia Hills District, Khliehriat, had fixed 03.03.2026 as the date for spot inspection of the said disputed land for the purpose of acquiring land for construction of Four Lane expressway. Accordingly, at about 10:30 -11:00 am or so, a number of people were present there. Some of those present, specifically named in the said FIR have been alleged to have come to the spot armed with firearms and proceeding towards the crowd and resorted to indiscriminate firing resulting in three of the villagers of Lama village sustaining injuries on their bodies,



for which, they had to be taken to the hospital for treatment. Accordingly, the police have registered the FIR as Khliehriat P.S. Case No.104 (3) 2026 under Section 109/118(2)/191(3)/61(2)/132/3(5) BNS, read with Section 27 Arms Act.

4. Heard Ms. A.D. Syiem, learned counsel for the petitioner, who has submitted that the petitioner is one of those persons named in the FIR, however, it is categorically stated herein that the petitioner was not present at the place of occurrence on the said date, since he was not an office bearer of the Dorbar Shong of Lakadong village nor does he have any relation to the disputed land. In fact, on the said day of occurrence, he was engaged in harvesting/cultivating betel nut, leaves and broom sticks.

5. The learned counsel has submitted that a false allegation has been made against him in the FIR dated 03.03.2026 with the purpose to stigmatize him and also to cause irreparable harm to his dignity and standing as a responsible member of the society, as such, being apprehensive of imminent arrest, he has preferred this instant application with a prayer for grant of anticipatory bail.

6. The learned counsel has also submitted that in this regard, an FIR dated 06.03.2026 was lodged before the In-charge, Ladrymbai Police Outpost, by some of the residents of Lakadong Ummat village, wherein, they have detailed the action of some of those who were present on the said date at the place of occurrence, the names being noted at para 11 of the said FIR, the said persons being responsible of



trespassing and use of criminal force including rioting with deadly weapons and fire arms which has caused terror and fear on those present, including minor children. Therefore, since there are allegations and cross allegations made, the petitioner has been unnecessarily implicated in the case.

7. Mr. N.D. Chullai, learned AAG assisted by Ms. Z.E. Nongkynrih, learned GA appearing for the State respondent, has strongly opposed the prayer made, and has stated that the fact that there was altercation at the place of occurrence (PO) on the said dated that is, 03.03.2026, wherein, as a result thereof, machete and firearms have been employed to cause injuries to some of those present, has not been denied by the petitioner. The fact that in the FIR, the complainants have also specifically named some of those perpetrators, including the petitioner herein, would only strengthen the prosecution case that there are indeed eye-witnesses, who have seen what the petitioner and others have done on that day.

8. The learned AAG has also produced copy of the case diary and has led this Court to the entries made by the Investigating Officer (I/O), including the recording of statement of witnesses, who have identified the petitioner herein as one of those persons, who were armed with a machete at that point of time. Accordingly, under such circumstances, the role of the petitioner in the said



accident, cannot be ruled out, and the prayer made in this petition, may not be allowed, submits the learned AAG.

9. This Court has considered the submission of the learned counsels for the parties, and has also perused the petition and the case diary produced. As has been indicated, it is said that on 03.03.2026 at about 10:30 – 11:00 am, when a number of people consisting members of 2(two) opposing groups met at the site of the inspection, tempers frays, and under such tense situation, an altercation took place, firearms may have been used resulting in injuries sustained by those involved, the perpetrators being the accused herein and others.

10. The prosecution has maintained that there are eye-witnesses, who have seen the petitioner at the scene of the crime wielding a machete, though none of the eye-witnesses has said that they saw the petitioner using the firearm. On the other hand, the petitioner has maintained that he was not present at the place of occurrence, but was at a place called Ladrymbai which is about 38 kilometres apart. This aspect of his statement has not been confirmed or debunked by the I/O, as such, no clear-cut confirmation of such assertion can be made. However, it may not be out of place to mention that in a similar case concerning the said incident which took place on 03.03.2026, the contents of the FIR would show that the complainants have specifically named a number of persons who are said to be the main culprits being responsible for the melee. However, as regard one or two of those named in



the FIR, they have approached this Court on a plea of alibi, stating that they were not present at the place of occurrence, but were at a hospital in Shillong attending to their ailing mother. In due course, this assertion proved correct, thereby creating a doubt as to the credibility of the account of such eye-witnesses.

11. As to the contention of the learned counsel for the petitioner that there is a counter FIR filed, this Court is not made aware of such FIR or the proceedings flowing from it to connect the allegation made therein to the case of the petitioner herein. However, if such FIR has been filed and registered, it is incumbent upon the I/O to investigate and to come to a conclusion as to what exactly happened on 03.03.2026 at the place of occurrence, and who are those responsible in a situation when two opposing groups are engaged in violent interaction or altercation.

12. In the case of the petitioner herein, having said that he was not present at the place of occurrence on the said date, at this point of time, the benefit of doubt would be given to him, subject to the final outcome of investigation.

13. Since the liberty of a person is valued, any attempt to undermine the reputation of a citizen by way of a false allegation, such attempts have to be thwarted. Therefore, in case of an allegation, criminal in nature, utmost care has to be taken to ensure adherence to such liberty, since an arrest of an innocent person, would greatly affect his or her personality, dignity and standing in society. This does not mean that the law enforcement authorities are prevented from carrying on



investigation to find out the truth, even to the involvement of such a person alleged against, but the same has to be in due procedure. In the case of **Siddharam Satlingappa Mhetre v. State of Maharashtra, (2011) 1 SCC 694**, at para 90, the Hon'ble Supreme Court has observed that "*A great ignominy, humiliation and disgrace is attached to the arrest. Arrest leads to many serious consequences not only for the accused but for the entire family and at times for the entire community....*".

14. In view of the observations made hereinabove, this Court is inclined to allow the prayer of the petitioner herein.

15. Accordingly, in the event of the arrest, the petitioner herein is directed to be released on bail on the following conditions:

- i) That he shall not abscond or tamper with the evidence or witnesses;
- ii) That he shall attend court as and when called for;
- iii) That he shall not leave the jurisdiction of Meghalaya, except with due permission of the court concerned; and
- iv) That he shall bind himself on a personal bond of ₹ 30,000/- (Rupees thirty thousand) only with two sureties of like amount to the satisfaction of the Trial Court.



16. In view of the above, this petition is disposed of accordingly. No costs.
17. The interim bail granted is hereby made absolute.

Judge