

(2025) 12 MEG CK 0041

Meghalaya HC

Case No: Anticipatory Bail No. 23 Of 2025

Taimur Ali, @ Islam & Ors

APPELLANT

Vs

State Of Meghalaya & Ors

RESPONDENT

Date of Decision: Dec. 17, 2025

Hon'ble Judges: W. Diengdoh, J

Bench: Single Bench

Advocate: S.A. Sheikh, M.R. Marak, S. Sengupta, H. Kharmih

Final Decision: Disposed Of

Judgement

W. Diengdoh, J

1. Heard Mr. S.A. Sheikh, learned counsel for the petitioners.
2. Also heard Mr. S. Sengupta, learned Addl. PP for the State respondent, who has submitted that the case diary as well as the status report filed by the Investigating Officer has been produced before this Court today. It is also submitted that the charge sheet in this case has been filed and the petitioners herein have also been named as accused persons, meaning that there is established prima facie case against them as far as their involvement in the incident which took place on 25.06.2025, wherein the deceased, Shri. Aminul Islam @ Bhulu was said to have been a victim of a mob lynching, the mob consisting about 500 persons or so is concerned. The learned Addl. PP also submits that, amongst those who have been arrested, some of them have been enlarged on bail, and some of them are still in custody, according to the degree of their involvement.
3. It is the further submission of the learned Addl. PP that, since the charge sheet have been filed and the petitioners herein have been named as some of the accused persons, therefore, it would be prudent for the said petitioners to have moved an application for grant of anticipatory bail before the Trial Court. However, there is no strong objection by the learned Addl. PP as far as the prayer in this petition is concerned.

4. Mr. S.A. Sheikh, learned counsel for the petitioners in his submission has reiterated that the petitioners are innocent and have been falsely implicated in the case, in fact, they were not even present at the time when the incident had taken place. However, since they were apprehensive of imminent arrest, therefore they have approached the Trial Court, firstly, with a prayer for grant of anticipatory bail, and on the same being rejected, are now before this Court with similar prayer.

5. The learned counsel also submits that, since some of the accused persons have been enlarged on bail, therefore, on ground of parity, they may also be given the same privilege of being enlarged on bail in the event of their arrest. However, it is reiterated that the petitioners, if enlarged on bail, will cooperate with the process of trial.

6. This Court on an earlier occasion, had dealt with the case in question, wherein some of the persons said to be involved in the said mob lynching, have sought for grant of anticipatory bail, and on consideration of the facts and circumstances of the case, vis-à-vis, the involvement of the said petitioners/accused persons, this Court vide order dated 29.08.2025 passed in AB. No. 18 of 2025, had granted protection to such petitioners.

7. It appears that the facts and circumstances have remained constant and the only difference is that, in the meantime, the charge sheet has been filed by the Investigating Officer.

8. Though the nature of the incident is serious and the fact that a person has lost his life due to the action of an enraged mob, nevertheless, it is also very important to maintain the well-settled and cardinal principle of bail jurisprudence that an accused person/under trial is said to be innocent until proven guilty.

9. Be that as it may, the prayer of the petitioners in this petition is hereby allowed. The interim bail granted is also made absolute.

10. In the event of their arrest, they are to be released on bail on the following conditions:

i) That they shall not abscond or tamper with the evidence or witnesses;

ii) That they shall attend court as and when called for;

iii) That they shall not leave the jurisdiction of Meghalaya, except with due permission of the court concerned; and

iv) That they shall bind themselves on a personal bond of ₹ 50,000/- (Rupees fifty thousand) each with one surety of like amount to the satisfaction of the Trial Court.

11. In view of the above noted observations, this petition is accordingly disposed of. No costs.