

**HIGH COURT OF TRIPURA
AGARTALA**

AB No.6 of 2026

1. Sahid Ulla @ Sahidul Miah (22)
S/o- Lt. Kashem Miah,
R/o- Sukanta Colony, Belonia,
District- South Tripura, Tripura.

2. Sourav Miah @ Sarif Mia (18)
S/o- Taiyab Miah,
R/o- Subash Nagar, Belonia,
District- South Tripura, Tripura

.....accused-Petitioner(s).

Vs.

The State of Tripura

.....Respondent(s).

For Petitioner (s) : Mr. Rishiraj Nath, Advocate.

For Respondent(s) : Mr. Rajib Saha, Addl. PP.

HON'BLE MR. JUSTICE S. DATTA PURKAYASTHA

Order

27/01/2026

Heard Mr. Rishiraj Nath, learned counsel appearing for the petitioners and Mr. Rajib Saha, learned Addl. PP appearing for the State-respondent.

The bail application for pre-arrest bail has been filed by both the petitioners in connection with Belonia P.S. Case No.74 of 2025.

The allegations in the FIR, as lodged by one Liton Munda, are that on 25.12.2025, he along with his friend Rupam Munda went to attend one festival at Bailamukha Kali Mandir, wherein they were physically assaulted by both the petitioners. Thereafter, while returning home from the said festival they (victims) again went to the house of petitioner No.1, Sahidul Miah, to ask the reason as to why they were so assaulted. Then both the petitioners, along with some other persons again beat them and also hit on his head with a stick causing bleeding injury therein. Further allegation is that the said accused persons also snatched away Rs.5,000/- from his pocket.

The police authority registered the FIR under Sections 117(2), 304(2), 351(2) and 3(5) of BNS, 2023 out of which only 304(2) of BNS is non-bailable. The police also issued notice under Section 35(3) of BNSS, 2023, to which the petitioners did not respond.

Mr. Nath, learned counsel, submits that both the petitioners have been falsely implicated in this case and that out of fear the petitioners did not appear before the Investigating Officer, apprehending that on such appearance they might be arrested and therefore, they approached the learned Sessions Judge, South Tripura, Belonia seeking pre-arrest bail. Learned counsel further submits that both the petitioners are ever ready to cooperate with the investigation and, as and when required they will appear before the Investigating Officer.

Mr. Saha, learned Addl. PP, opposes the bail prayer on the ground that the petitioners are not cooperating in the investigation and those notice under Section 35(3) of BNSS, 2023 were issued on 01.01.2026, which were also received by their family members but till date they did not appear before the Investigating Officer.

Learned Addl. PP also produces the CD.

On consideration of the submissions of both sides and on perusal of the materials placed in the CD, it appears that the Investigating Officer has examined some of the witnesses who were present at the time of the second incident, i.e., the incident of snatching. The informant though stated about the snatching of Rs.5,000/- from his pocket but did not specify the name as to who had taken away the said amount. Other witnesses who were present at the scene of occurrence at that time, did not say anything about such alleged snatching of money. However, all these observations of this Court are subject to the further investigation by the Investigating Officer in this regard.

Considering all these aspects, the bail prayer of both the petitioners is allowed. It is ordered that in the event of arrest in connection with above said Belonia P.S. Case No.74 of 2025 both the petitioners shall be released on bail on submission of bond of Rs.50,000/- (Rupees fifty

thousand) each with one surety of like amount to the satisfaction of the arresting authority on condition that:

- (i) they will appear before the Investigating Officer twice in a week for next three months;
- (ii) they will not try to terrorize or influence any witness of the case;
- (iii) they will regularly appear before the Court to face the trial;

Return the CD along with copy of this order.

JUDGE

