

HIGH COURT OF TRIPURA

AGARTALA

BA 62 OF 2026

Smt. Ankurita Das,
W/o Sri Mantanu Saha of IASE (Bed)
College Road, near Heritage Park, P.S. NCC,
Dist. West Tripura, Agartala, 799006.

....Applicant

On behalf of accused person in custody, namely,

Sri Mantanu Saha,
S/o Sri Babul Chandra Saha of Shantinagar,
Teliamura Nagar Panchayat, P.S. Teliamura, Dist. Khowai,
Tripura, 799205.

Present Address: IASE (Bed) College Road, near Heritage Park,
P.S. NCC, Dist. West Tripura, Agartala, 799006.

....Accused person

Versus

The State of Tripura

....Respondent.

**BEFORE
HON'BLE MR. JUSTICE S. DATTA PURKAYASTHA**

For the Applicant/petitioner(s) : Mr. Harekrishna Bhowmik, Advocate.
Mr. Amit Saha, Advocate.

For the Respondent(s) : Mr. Raju Datta, P.P.

06.04.2026

ORDER

Heard learned counsels of both sides.

The bail application is filed on behalf of accused Mantanu Saha in connection with GRPS No.104/2025, registered under Sections 21(c)/29 NDPS Act,1985 who is in custody since his arrest on 10.11.2025.

2. The allegations, in brief as mentioned in the FIR lodged by one Sub-Inspector, Pankaj Biswas, are that on the basis of a secret

information, SI Panjaj Biswas on 16.10.2025, with intimation to his superior authority, went to Jirania railway station along with other police personnel and one Deputy Collector & Magistrate of Jirania and found that one goods-carrying train comprising eleven numbers of coaches arrived at the station and then he recovered total 90,000 numbers of 'Eskuf' cough syrup bottles from two coaches of said train. Those consignments were booked in the name of M/S Bharat Conveyor and M/S Golden Roadways.

3. Learned counsel, Mr. H.K. Bhowmik submits that without sufficient materials against the present accused and only based on three numbers of handwritten permits/challans issued by Madhavbari Truck Syndicate, the present accused was apprehended with false implication of him in the instant case.

4. Learned counsel also submits that issuance of any challan in the name of present accused person is not sufficient enough to get complicity of the present accused in the alleged crime. A proforma of challan is also produced on behalf of the present accused (Annexure-5) to show that there is no column in the said challan for writing down the name of any person or consignee, whereas, name of the accused therein was written. According to learned counsel, if the name of the present accused is reflected in the said challan it is an intentional insertion by somebody to implicate the accused in this case.

5. Learned counsel further submits that according to police, a sum of Rs.1,07,000/- was recovered from one of his flats, and it is very usual for any person to keep such sum in his own house. Moreover, he has a business of rubber sheets, and in this regard a licence has also been issue by the Rubber Board. A copy of the said licence is also placed with the bail application.

6. Learned counsel Mr. Bhowmik submits that the mentioning the name of M. Saha in the permits/challans may indicate many other persons than that of the present accused and therefore, there is serious doubt whether the said permits/challans were issued in the name of the present accused person or not. Learned counsel also submits that the

driver and owner of the trucks are the best persons to say as to where the consignments were to be delivered.

7. Therefore, learned counsel submits that there is no prima facie material to show that any such contraband item was supposed to be delivered to the present accused. On these grounds, learned counsel has prayed for bail.

8. Learned P.P., on the other hand, submits that there are prima facie incriminating materials against the present accused persons to be involved in the alleged crime and therefore, rigour of Section 37 of NDPS Act will be applicable disentitling the accused from getting bail as it is a case concerning huge quantity of contraband items.

9. Learned P.P. also refers relevant seized book of permits of said Truck terminus and some statements of witnesses and the relevant seizure list as available in the Case Diary to show complicity of the present accused person in the alleged crime. Prima facie, the permits show that on the said date i.e. 16.10.2025, there are at least three such permits mentioning the name of M. Saha to be the recipient of the articles. In some permits, name of some other persons are also mentioned. But in maximum of such permits name of the recipients are not mentioned. One employee of Interstate Truck Terminus was examined by police who stated that accused Arun Kumar Ghosh and Rajib Sengupta came to their ISTT Office for hiring vehicles and on 16.10.2025 also said Rajib Sengupta produced two railway receipts making a demand of 6(six) trucks. Accordingly, 6(six) nos. of trucks were allotted to them for carrying the consignments. He also heard at that time that said Rajib Sengupta (who is a co-accused in this case) was telling the concerned employee of the truck syndicate that out of seized six trucks, goods of three trucks would be delivered to the accused Mantanu Saha and said Mr. Saha would make the payment of the cost of the hiring vehicles to the driver.

10. Another employee of the godown of Arun Kumar Ghosh is also examined by police who stated that some items would be received in the godown of Mr. Arun Kumar Ghosh and same would not be entered into the Registers of the godown and would be kept outside the godown

and thereafter same would be taken away by some other persons and such delivery would also not be entered in the account book. Said Mantanu Saha would also collect those un-accounted items from the said godown. According to the statement of that person, the description of boxes which were seized by the police from Jirania Railway Station in the month of October bears similar description like the items which would be kept outside of the godown.

11. Now, the materials as placed by the prosecution against the accused person Mantanu Saha, as indicated above, does not permit the Court to draw a reasonable ground for believing that he is not guilty of such offence and that he would not likely to commit any offence while on bail. Therefore, rigour of Section 37 of NDPS Act cannot be avoided by the accused person.

12. Considering thus, the bail prayer is rejected.

13. Return the C.D. with a copy of this order to learned P.P.

14. Also re-consign the trial Court record to the learned Court below with a copy of this order.

JUDGE

