



HIGH COURT OF TRIPURA
AGARTALA

BA No. 126 of 2026

Smt. Jharna Das Gowala, W/o- Sri Samar Gowala, R/o Rabidranagar, Bandar Tilla, PO- Renters Colony, P.S- East Agartala, District- West Tripura.

.....**Applicant(s)**

on behalf of

Shri Samar Gowala @ Samir, S/o- Lt. Sushil Gowala, R/o- Rabidranagar, Bandar Tilla, P.O- Renters Colony, P.S- East Agartala, District- West Tripura.

.....**Accused Person(s)**

Versus

The State of Tripura.

....**Respondent(s)**

For Applicant(s)	:	Mr. Bibhas Debbarma, Advocate. Ms. D.Das, Advocate.				
For Respondent(s)	:	Mr.Raju Datta,PP.				
Date of Hearing and Delivery of Order	:	08.07.2026				
Whether fit for reporting	:	<table><tr><td>Yes</td><td>No.</td></tr><tr><td></td><td>✓</td></tr></table>	Yes	No.		✓
Yes	No.					
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HON'BLE MR. JUSTICE S. DATTA PURKAYASTHA

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Heard Ld. Counsel of both sides.

[2] The application has been filed for bail of accused person namely, Shri Samar Gowala @ Samir, in connection with East Agartala P.S. Case No. 2025/EAG/121, registered under Sections 21(a) /21(c) /25 /27(A) & 29 of the NDPS Act, 1985.

[3] The prosecution case is that based on the secret information, the informant, S.I, Sri Narayan Deb, raided the shop of



one Diptanu Saha on 01.11.2025 and recovered 180 Nos. small plastic container containing suspected heroin and 22 Nos. of bottles of Eskuf syrup each containing 100 ml. each. The said person was arrested thereafter and a case was accordingly registered under Sections 21(a)(c)/25/27A/29 of the NDPS Act, 1985 and ultimately, the police on conclusion of the investigation, has laid the charge-sheet under Sections 21(c)/22(a)/25/27A/29 of the NDPS Act, 1985 against Diptanu Saha, Hridoy Das, Tapan Banik, Krishna Biswas, Shri Shyam Kumar Singh, Ratnadip Dey @ Chand, Nazir Hossain and the present accused, Samar Gowala.

[4] Ld. Counsel, Mr. Bibhas Debbarma, for the petitioner submits that except the statements of witnesses, Bipul Debnath and Inspector, Shri Subrata Debnath, no further incriminating materials are there against the present accused, and these two witnesses also made the general statements that the present accused was involved in drug dealings along with said Diptanu Saha.

[5] Ld. Counsel, Mr. Debbarma further submits that the accused is a first time offender and for more than 225 days, he is in custody, so, bail may be granted to him on any condition. Ld. Counsel also refers to the order of this Court passed in BA No.86 of 2026 dated 21.05.2026, wherein bail was granted to another co-accused namely, Shri Shyam Kumar Singh.

[6] Ld. PP opposes the prayer and on query by the Court, he submits that except said two statements of the witnesses, there is no other incriminating material against the present petitioner.

Court has considered the submissions of both sides.

[7] It is admitted position that nothing was recovered from the possession of the present accused, rather, certain contraband items of commercial quantity were recovered from the shop of one Diptanu Saha.



[8] Both the statements of Bipul Debnath and Inspector, Shri Subrata Debnath, show that they have stated that during interrogation, said Diptanu Saha disclosed the name of present petitioner and others to be his associates. Said Bipul Debnath further gave another general version that said Diptanu Saha along with his companions namely, Krishna Biswas, Tapan Banik, Hridoy Das, Samar Gowala and some other persons would deal with the narcotic items in certain areas. It is not further revealed in the investigation as to how the present petitioner is connected with the contraband item which was recovered from the shop of Diptanu Saha.

[9] For a considerable period the accused is in custody.

[10] From the above position, it appears that the twin conditions of the rigors of Section 37 of NDPS Act are satisfied in this case.

[10] Considering all these aspects, the bail prayer is allowed. The accused person, namely, Sri Samr Gowala @Samir may go on bail on furnishing a bond of Rs.1,00,000/- [Rupees One lakh] only along with one surety of the like amount to the satisfaction of the learned Special Judge, West Tripura, Agartala on conditions that:

- (i) The surety must be a permanent resident of Tripura;
- (ii) He will not leave the State of Tripura without prior permission of the learned Special Judge, Court No.1, West Tripura, Agartala and such permission can be accorded by the learned Special Judge only on any special ground;
- (iii) He will provide both to the learned Special Judge and O.C, East Agartala Police Station, his present place of residence along with his mobile phone number, if any, within 7[seven] days of his release and he shall not change his mobile phone number and shall not hand over



it to any other person, till the trial is complete. He will keep his mobile phone functional too;

(iv) He will regularly attend the Court to face the trial;

(v) He will also record his attendance before the learned Special Judge, Court No.1, West Tripura, Agartala once in fortnight till the trial is complete or till the condition is relaxed by the learned Special Judge;

(vi) He will not, directly or indirectly, try to make any contact with any of the witnesses of the case for the purpose of influencing or terrorizing him/them;

(vii) He will not involve himself in any sort of unlawful activities which are prohibited under NDPS Act; and

(viii) Violation of any of the above said condition(s) by him, will be a good ground for cancellation of his bail.

[11] With such observation and directions, this bail application is disposed of. It is clarified that what are observed herein above are only for limited purpose to decide the merit of bail application and same will have no bearing in the matter of charge or trial.

Communicate copy of this order to the Ld. Trial Court forthwith.

Reconsign the record of Ld. Trial Court.

Pending application(s), if any, also stand disposed of.

JUDGE