

**HIGH COURT OF TRIPURA
AGARTALA
A.B. No.70 of 2025**

Samrat Das,
S/o-Sri Birendra Das, resident of Rajbari, Dharmanagar,
P.S. Dharmanagar, District: North Tripura.

----- Accused applicant(s)

Versus

The State of Tripura

-----Respondent(s)

For Applicant(s)	:	Mr. Samrat Ghosh, Adv.
For Respondent(s)	:	Mr. Raju Datta, P.P.

HON'BLE MR. JUSTICE BISWAJIT PALIT

Order

25/09/2025

This pre-arrest bail application under Section 482 of BNSS, 2023 is filed for granting pre-arrest bail to the accused-applicant namely, Samrat Das in connection with Dharmanagar PS case No.2025 DMN 023 under Sections 117(2)/74/3(5) of BNS, 2023.

Heard Learned Counsel, Mr. Samrat Ghosh appearing on behalf of the accused-applicant. Also heard Learned P.P., Mr. Raju Datta appearing on behalf of the State-respondent.

Today, Learned P.P. has produced the case diary. Also the record from the Learned Trial Court has been received.

At this stage, Learned Counsel for the accused-applicant referring the contents of the F.I.R. submitted that in view of the contents of the F.I.R. and the materials on record, there is no scope to refuse pre-arrest bail application of the present accused-applicant. But, the police are constantly pursuing to the residence of

the accused-applicant for arrest so, he has approached before this Court. It was further submitted that by this time, other accused persons of this case have been granted bail excepting the present accused-applicant. So, Learned Counsel urged for allowing this pre-arrest bail application.

Learned P.P., on the other hand, prayed for rejection of this pre-arrest bail application.

Perused the record.

On perusal of the record, it appears that the prosecution was set into motion on the basis of an F.I.R. laid by one Smt. Bina Sharma alleging *inter alia* that on 08.03.2025 at about 2100 to 2130 hours at Pongati Chowmuhani, New Baghaypur, some miscreants attacked the informant, her husband and also her sister-in-law namely, Prativa Sharma. They physically assaulted them for which they had to undergo medical treatment. Based on this F.I.R., the present case was registered.

I have also perused the case diary and the orders passed by Learned Sessions Judge on different occasions.

From the case diary, it appears that in course of investigation the I.O. has recorded statements of some of the witnesses of the prosecution. From the statements of the witnesses so far recorded by the I.O., it appears that one of the accused persons, in course of hot altercation with the husband of the informant, caused injury to him by a piece of brick resulting which he sustained injury. Later on, when the informant and another lady came to rescue him, that time, all the accused persons jointly

assaulted them and also caused outrage of modesty of the informant and another lady. The I.O. also collected the injury reports of all the three victims and it appears that the injury of the victims was simple in nature.

The case is registered under Sections 117(2)/74/3(5) of BNS, 2023. From the case diary, it appears that in course of investigation the I.O. although recorded the statements of some of the witnesses but could not project specifically the direct involvement of the present accused-applicant with the offence punishable under Section 74 of BNS, 2023. However, the investigation of the case is in progress.

So, considering the materials on record and the period of investigation of this case, I am inclined to grant pre-arrest bail to the present accused-applicant. In the event of arrest, the present accused-applicant shall execute bail bond of Rs.25,000/- with one surety of like amount to the satisfaction of O/C of the concerned PS with the following terms and conditions:

- i. That the accused shall appear before the I.O. as and when called for, for the sake of investigation.
- ii. The accused shall not make any inducement, threat or promise to any of the witnesses of the prosecution.
- iii. The accused shall not leave the jurisdiction of the O/C of the concerned PS without prior permission of the O/C of the concerned PS failing which the I.O. shall be at liberty to move application for cancelling of bail.

With this observation, the instant anticipatory bail application stands allowed and thus disposed of.

Send down the record to the Learned Trial Court along with a copy of this order. Return back the Case Diary to I.O. through Learned P.P. along with a copy of this order. A copy of this order be supplied free of cost to the Learned counsel for the accused-applicant for information and compliance.

JUDGE



Snigdha

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