

**HIGH COURT OF TRIPURA
AGARTALA
B.A.No.84 of 2025**

Sri Ratan Debnath,
S/o: Lt. Kanu Debnath,
R/o: East Gokulnagar, Adarsha Palli,
P.O. Bishalgarh, Dist.: Sepahijala,
Tripura, PIN:799102.

-----Applicant(s)

On behalf of
Sri Rahul Debnath,
S/o: Sri Ratan Debnath,
R/o: Gokul Nagar, Adarsha Colony,
P.O.: Gakul Nagar, Dist.: West Tripura,
PIN: 799102.

-----Accused Person(s)

Versus

The State of Tripura

-----Respondent(s)

For Applicant(s)	:	Mr. Ratan Datta, Adv.
For Respondent(s)	:	Mr. Rajib Saha, Addl. P.P.

HON'BLE MR. JUSTICE BISWAJIT PALIT

Order

25/09/2025

This bail application under Section 439 of Cr.P.C, 1973 is filed for granting bail to the accused in custody namely, Sri Rahul Debnath who is lodging in jail in connection with Ganganagar PS Case No.2023/GNR/006 under Sections 20(b)(ii)(c)/25/29 of NDPS Act, 1985 corresponding to Special NDPS No.12 of 2025.

Heard Learned Counsel, Mr. Ratan Datta appearing on behalf of the accused in custody. Also heard Learned P.P., Mr. Raju Datta appearing on behalf of the respondent-State.

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

At the time of hearing, Learned Counsel for the accused in custody submitted that the accused is lodging in jail on and from

07.01.2025 and he is a college going student. Learned Counsel further submitted that till today prosecution has adduced only 7(seven) numbers of witnesses out of 13(thirteen) numbers of witnesses and from the evidence on record, no incriminating evidence remained against the accused in custody. So, Learned Counsel, considering the evidence on record, urged for releasing the accused on bail in any condition.

On the other hand, Learned P.P. strongly opposed the present bail application and submitted that since the trial has commenced and by this time, out of 13 numbers of witnesses prosecution has adduced only 7(seven) numbers of witnesses. So, till recording evidence of the rest of the witnesses, the accused may be kept in J/C for the sake of adjudication of the case, failing which there is every chance that the accused may abscond. So, Learned P.P. urged for rejection of this bail application.

From the record, it appears that the next date of this case is fixed w.e.f. 24.11.2025 to 28.11.2025 by the Learned Trial Court. It is also on record that the accused is lodging in jail w.e.f 07.01.2025.

So, at this stage, there is no scope to give any specific observation regarding innocence of the accused until the evidence of rest of the witnesses is recorded by the Learned Trial Court and further, considering the materials on record, at this stage, I find no scope to release him on bail.

Accordingly, the bail application filed stands rejected. The accused is to remain in J/C as before. Learned Trial Court shall make all endeavour to dispose of the case giving top priority by 31.01.2026.

Send down the record of 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.

The bail application thus stands disposed of.

JUDGE



Amrita

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