

Party Name : SMT. ARCHANA DEBNATH ON BEHALF OF ACCD. NARAYAN DEBNATH Vs
THE STATE OF TRIPURA

THE HONBLE MR. JUSTICE S.C.DAS

This is a petition under Section 439 of CrPC praying for bail of accused Narayan Debnath in connection with Bishalgarh P.S. Case No.166 of 2014 registered under Sections 148, 149, 447, 325, 384, 427, 436 and 354 of IPC.

Heard learned senior counsel, Mr. A.K. Bhowmik for the petitioner and learned P.P. Mr. A. Ghosh for the State respondent.

Case diary is produced. Perused the case diary.

It is submitted by learned counsel, Mr. Bhowmik that the accused is not named in the FIR though in the FIR some accused persons have been specifically named. So there is no overt act on the part of the accused in the alleged crime and hence he prayed for bail.

Learned P.P., Mr. Ghosh has submitted that the name of the accused transpired in the statements of the witnesses recorded by I.O. subsequently during investigation and so the involvement of the accused is transpired.

I have gone through the case diary. It is true that the name of the accused has been transpired as a member of the unlawful assembly subsequently in the statements of the witnesses. However, considering the period the accused person is already in custody, bail prayer is allowed.

Accordingly, it is hereby ordered that accused Narayan Debnath be released on bail on his execution of a bail bond of `25,000/-(rupees twenty five thousand) with one surety of like amount to the satisfaction of learned SDJM, Bishalgarh on condition that he should keep himself available before I.O. as and when required and that he should not directly or indirectly interfere in the investigation or try to influence the witnesses.

The bail application accordingly stands disposed of.

Send a copy of this order to the Court of learned SDJM, Bishalgarh.

Case diary is returned to learned P.P.