

Party Name : SWAPAN SINGH GOUR ON BEHALF OF ACCD. RATAN SINGH GOUR Vs
THE STATE OF TRIPURA

HONBLE THE CHIEF JUSTICE DEEPAK GUPTA

This petition has been filed by the petitioner on behalf of the accused Shri Ratan Singh Gour in respect of FIR No.2015KHW032 dated 03.04.2015 under Section 366A IPC.

The prosecution story is that the petitioner kidnapped a minor girl (hereinafter referred to as 'the victim') on 28.03.2015. The statement of the victim was recorded by the Magistrate under Section 164 Cr.P.C. and in her statement she has stated that she had a love affair with the accused and that she had in fact forced the accused to take her with him.

This Court, at this stage, is not deciding the merits of the case, but keeping in view the statement of the victim herself, I am of the view that this is a fit case where the accused should be enlarged on bail.

Therefore, the accused is directed to be enlarged on bail on his furnishing bail bond in the sum of Rs.10,000/- (rupees Ten thousand) with one surety in the like amount to the satisfaction of the Sub-Divisional Judicial Magistrate, West Tripura, Khowai undertaking therein:-

- (i) That, the accused is directed not to tamper with or in any manner influence the prosecution witnesses;
- (ii) That, the accused shall ensure that no threat directly or indirectly is given to any of the prosecution witnesses;
- (iii) The accused is further directed not to cause any hindrance in the investigation;
- (iv) The accused shall not leave Tripura without permission of the appropriate Court;
- (v) The accused shall appear before the trial Court on each and every date of hearing. In case, he absents himself on any date, then the trial Court shall cancel the bail and the accused shall be arrested. Thereafter, the petitioner shall have to again approach this Court for grant of bail;
- (vi) In case, the accused violates any of the conditions or tries to delay the trial, the prosecution shall be at liberty to apply for cancellation of bail.

With these observations, the bail application is disposed of.

On the petitioner filing application for supply of the copy on payment of appropriate fees, the copy of the same shall be supplied to the petitioner by tomorrow.