

HIGH COURT OF TRIPURA

_A_G_A_R_T_A_L_A_

B.A.No.36 of 2022

For Petitioner(s)	:	Mr. K. Pandey, Advocate.
For Respondent(s)	:	Mr. R. Datta, Public Prosecutor. Mr. S. Debnath, Addl. P.P.

HON'BLE MR. JUSTICE T. AMARNATH GOUD

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30/09/2022

Heard Mr. K. Pandey, learned counsel appearing for the petitioner. Also heard Mr. R. Datta, learned Public Prosecutor and Mr. S. Debnath, learned Addl. P.P. appearing for the respondent-State.

This is an application filed under Section-439 of Cr. P.C. granting the bail to the accused-person, namely, Bhabish Debbarma who was arrested in connection with East Agartala Women P.S. case No.044 of 2022 under Sections-376/506/420 of IPC.

In a nutshell the fact of the case is that one Smt. Rima Debbarma, filed a written complaint stating that she is a peace loving citizen. In the year 2021 in the month of December the accused person introduced with the complainant through face book gradually their friendship was developed. The accused person introduces himself as an unmarried person and professionally he is a driver.

Thereafter, on a day opposite party gave love proposal to the complainant but she was not agreed with that proposal. Thereafter, the opposite party continuously engaged with the complainant over telephone and gradually they became friend of each other and on the basis that relationship, one day complaint came to learn that the accused was a married person and he has his son and daughter. Thereafter, the complainant stopped to maintain any communication with the accused person. Thereafter, all on a sudden one day in the year 2022 in the month of February, at about 1.00 pm accused person trespassed illegally in the house of the complainant at Jail road and he entered into the bed room of the complainant before understand the situation accused

person lock the door and hurriedly caught hold mouth of the complainant forcefully toned wearing cloths of the complainant and forcefully raped her.

After perusal of the case record, it reveals that the complainant is an adult married woman. She has her husband so knowing fully well regarding all consequences if she made relationship with a male person as alleged by herself. She is not disclosed in her complain with home she is living at Jail Ashram Road. The complainant failed to disclose her phone number and phone of the accused person in her complaint. Even the complainant failed to disclose why she filed complaint after a long delay. It seems that the whole story is totally false and fabricated.

Considering the aforesaid aspects and after going through the evidence on record, this Court is of the opinion that the above named accused-person may be released on bail by furnishing a bail bond of Rs.50,000/- with two sureties of the like amount to the satisfaction of the concerned Magistrate and also a personal bond for the same amount.

Accordingly, the bail application is allowed and disposed of.

JUDGE

A. Ghosh