

HIGH COURT OF TRIPURA

_A_G_A_R_T_A_L_A_

A.B. No.56 of 2022

For Petitioner(s) : Mr. P. Sen Choudhury, Advocate.
For Respondent(s) : Mr. R. Datta, Public Prosecutor.

HON'BLE THE CHIEF JUSTICE (ACTING)

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22/12/2022

Heard Mr. P. Sen Choudhury, learned counsel appearing for the petitioner. Also heard Mr. R. Datta, learned P.P. appearing for the respondent-State.

This application has been filed under Section-438 of the Cr. P.C. for granting pre-arrest bail to the accused-petitioner in connection Irani Police Station Case No.86 of 2022 filed under Section-409 of IPC.

The fact of the case is that on 29.10.2022 at about 2327 hours, Block Development Officer, Gournagar RD Block, Unakoti, Tripura lodged a written complaint to the officer in charge of Irani police station stating inter alia that during the financial year of 2016-2017 and 2019-2020 the accused petitioner had misappropriated government money of RS. 36,85,522/- IN CONNECTION with 40 nos. of sinking of ordinary hand pumps and 13 nos. of bamboo palasiding works as well as excess payment to the amount of Rs. 1,67,332 for 13 nos. of bamboo palasiding works made by the then implementing officer i.e. the petitioner herein who was in charge of Srinathpur Gram Panchayat under Gournagar R.D. Block and the said complaint was treated as FIR and registered as Irani P.S. Case No.86 of 2022 under Section-409 of the IPC.

However, this Court on perusal of the records finds that there are sufficient incriminating materials against the accused-petitioner. In this view of the matter, this Court is of the considered opinion that there is strong prima facie case against the petitioner and considering the nature of the case, this Court is of the view that it is not a fit case for granting pre-arrest bail to the accused-petitioner at this state and thus, rejected. The accused-petitioner is

directed to surrender before the Court below on or before 15th January, 2023 and move bail application.

In terms of the above, the present petition stands rejected.

CHIEF JUSTICE (ACTING)

A. Ghosh

