

**HIGH COURT OF TRIPURA
AGARTALA
A.B. NO.3 OF 2023**

Smt. Sova Saha and anr.
Vs.
The State of Tripura.

HON'BLE THE CHIEF JUSTICE (ACTING)

Present:

For the Applicant(s) : Mr. S. Lodh, Advocate.
For the Respondent(s) : Mr. R. Datta, P.P.
Mr. S. Das, Advocate.

31.03.2023

Order

This present application has been filed under Section 438 of the Cr.P.C, for grant of pre-arrest bail of the accused persons herein, in the event of arrest in connection with West Agartala Women P.S. Case No.2023 WAW 009, registered under Sections 498A/302/34 of IPC. The petitioners herein jointly filed one pre-arrest bail application before the learned Sessions Judge, West Tripura, Agartala, but the same was rejected vide order dated 09.03.2023 by the learned Addl. Sessions Judge, Court No.5, West Tripura Agartala.

Heard Mr. S. Lodh, learned counsel appearing for the applicants as well as Mr. R. Datta, learned P.P. appearing for the State-respondent, and Mr. S. Das, learned counsel appearing for the defacto-complainant.

The facts of the case, in brief, is that on 21.02.2023 at about 17.10 hours, one Sri Susanta Saha lodged a written complaint before the O/C West Agartala Women P.S. alleging inter alia that marriage between his sister, Smt. Shipra Saha and Subrata Saha of Joynagar Charka Sangha was solemnized eighteen years ago as per Hindu rites and customs and due to the wedlock his sister gave birth to a male child(17 years). His brother-in-law used to take intoxicating substances and demanded money from her sister, he further alleged that on 20.02.2023, for money, said Subrata Saha, his mother, and younger brother assaulted her sister severely and at any time in the night they killed her and thereafter hanged her in the ceiling fan. He also alleged that his nephew woke up from sleep at 07.30 a.m. and found the body of his mother hanging in the ceiling fan, and the cloth of the neck was hanging on both sides of the ceiling. On basis of the said complaint made by the informant, police registered above mentioned case.

According to the applicants herein deceased committed suicide as she collected huge money from several persons, and as she is unable to refund the money, she committed suicide, and the informant i.e. her brother knows very well how the money has been siphoned, as to conceal

the same he tutored the son of the deceased and lodged the false case.

Heard both sides and perused the evidence on record.

As evident from the record it is seen the deceased in her lifetime has collected huge sums of money and she was unable to return it to their respective owners. It is also seen from the record that the deceased family and applicants family are living in the same house but in a separate mess and they also have separate ration cards. In such fact and circumstances, this Court is inclined to grant anticipatory bail to the applicant herein. Accordingly, both the accused persons herein i.e. Smt. Sova Saha and Sri Debabrata Saha may be enlarged on pre-arrest bail on furnishing a bail bond of Rs.25,000/-(Rupees Twenty-five thousand only) each with two sureties each of like amount to the satisfaction of the concerned authority and accordingly, the same is ordered.

With the above observation and direction, this instant anticipatory bail application is allowed and thus disposed of.

CHIEF JUSTICE (ACTING)