

**HIGH COURT OF TRIPURA
AGARTALA**

BA 33 of 2023

Smt. Shani Praba Jamatia,

W/O Shri Biplab Kumar Jamatia, resident of Tingharia,
Amarpur, P.S. – Ompi, District- Gomati Tripura.

for and on behalf of

Shri Bir Sadhan Jamatia (DOB- 12.01.2001)

S/O Biplab Kumar Jamatia, resident of Tingharia, Amarpur, P.S.- Ompi,
District- Gomati Tripura.

..... Applicant

Versus

The State of Tripura

....Respondent(s)

For the Applicant(s)	:	Mr. I. Chakraborty, Advocate
For the Respondent(s)	:	Mr. S. Ghosh, Addl. P.P.

HON'BLE MR. JUSTICE ARINDAM LODH

Order

29/09/2023

Heard Mr. I. Chakraborty, learned counsel appearing for the applicant.
Also heard Mr. Mr. S. Ghosh, learned Addl. P.P appearing for the State-
respondent.

This application has been filed under Section 439 of Cr.P.C. for
granting bail to the accused in connection with Ompi Case No.04 of 2023
dated 11.05.2023 under Sections 376(D)/506/34 of IPC and Section 6 of
POCSO Act.

It is submitted by Mr. Chakraborty, learned counsel that the accused,
being a student, wants to attend the classes regularly. It is also submitted that
the trial of the case is going on and the next date is fixed for examination of
the victim and other relevant witnesses.

However, considering the gravity of the offence and the fact that next
date is fixed for examination of the victim, I am not inclined to release the
accused on bail at this stage.

Moreso, an application has been filed for custodial trial before the court of learned Special Judge, which was allowed by the Special Court on consideration of the pleas taken by the prosecution.

Accordingly, the instant bail application stands rejected.

JUDGE

SANJAY
GHOSH

Digitally signed
by SANJAY
GHOSH
Date: 2023.09.29
17:19:40 +05'30'

Rohit

HIGH COURT OF TRIPURA



सत्यमेव जयते