

**HIGH COURT OF TRIPURA
AGARTALA**

AB 30 of 2024

1. Sukanta Debnath(35 years)

S/o: Lt. Subodh Debnath, R/o: Vill: Paschim Bazar, P.S. Kalyanpur, Khowai, Tripura.

2. Smt. Bijaya Debnath (Dey)

W/o: Sri Ashish Dey, R/o: Kashipur, P.S: Budhjungnagar, West Tripura.

..... Accused-Applicant(s)

Versus

The State of Tripura

Represented by the Principal Secretary to the Government of Tripura.

....Respondent(s)

For the Applicant(s) : Mr. Debajit Biswas, Advocate

For the Respondent(s) : Mr. S. Ghosh, Addl. P.P

HON'BLE MR. JUSTICE ARINDAM LODH

Order

30/07/2024

This is an application filed under Section 438 of Cr.P.C. for granting anticipatory bail to the accused-applicants who are wanted by the police personnel in connection with Ambassa Women PS Case No.0009 of 2024 for the offences punishable under Sections 498A/326/34 of the IPC, later on added Sections 302/304(B) of the IPC.

The prosecution story, in brief, is that six years ago, the younger daughter of the complainant, namely, Puja Debnath got married with the FIR named accused person, namely, Sri Pralay Debnath as per Hindu rites and customs. After few months of their marriage, the husband and mother-in-law of the victim started to torture the victim both physically and mentally upon instigation of the other FIR named accused persons. During their conjugal life, the victim gave birth to a female child who is at present 3(three) years old. On 16.04.2024, at around 07:00 PM in the evening, the accused persons

set fire upon the body of the victim, resulting which she received grievous burn injuries on her body and accordingly, she was shifted to AGMC and GBP Hospital where she was treated and on 01.05.2024, the victim namely, Puja Debnath expired. The accused persons filed one anticipatory bail application before the learned Sessions Judge, Dhalai Judicial District, Ambassa which was rejected vide order dated 14.04.2024. After registration of the said complaint as FIR, the Investigating Officer raided the house of the accused-applicants and there is serious apprehension of being arrested.

In this circumstance, the accused persons namely, Sri Sukanta Debnath (35 years) and Smt. Bijaya Debnath (Dey) (32 years) have approached this court praying for granting anticipatory bail.

Mr. Biswas, learned counsel appearing for the accused-applicants has submitted that Sri Sukanta Debnath, brother-law of the victim resides in Khowai District and Smt. Bijaya Debnath (Dey), sister-in-law of the victim resides in Kashipur, Agartala and they do not maintain any connection with Pralay Debnath, and unnecessarily they have been implicated with the case. It is their contention that the complainant implicated the accused-applicants only to harass them.

Heard Mr. Debajit Biswas, learned counsel appearing for the accused-applicants. Also heard Mr. S. Ghosh, learned Addl. P.P appearing for the State-respondent.

I have perused the case diary as produced by learned Addl. P.P. After perusal of the case diary, in my opinion, it is a fit case to grant anticipatory bail to the accused-applicants. Accordingly, in the event of arrest, the accused-applicants, namely, Sri Sukanta Debnath and Smt. Bijaya Debnath (Dey) shall furnish a bail bond of Rs.25,000/- (Rupees twenty five

thousand) each with one surety of like amount each to the satisfaction of the Investigating Officer.

However, it is directed that the accused-applicants shall cooperate with the process of investigation in all manner and also shall appear before the investigating officer as and when they are called for.

In terms of the above, the anticipatory bail application stands allowed and disposed of.

JUDGE

Rohit
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