

HIGH COURT OF TRIPURA
AGARTALA

AB No.54 of 2024

Sri Pankaj Debnath
S/o: Lt. Hiralal Debnath of East Howaibari,
P.S.: Teliamura,
District: Khowai Tripura.

....Applicant(s)

Versus

The State of Tripura

....Respondent(s)

For the Applicant(s)	:	Mr. S.B. Debnath, Advocate
For Respondent(s)	:	Mr. Raju Datta, P.P. Mr. S. Ghosh, Addl. P.P.

HON'BLE MR. JUSTICE ARINDAM LODH
Order

08/10/2024

Heard Mr. S.B. Debnath, learned counsel appearing for the accused-applicant. Also heard Mr. Raju Datta, learned P.P. appearing for the respondent-State.

The applicant has filed the present application for releasing him on anticipatory bail under Section 438 of Cr.P.C since he is under serious apprehension that he will be arrested in connection with Teliamura Police Station crime No.2023 TLM P.S. 77 (IPC) registered under Sections 326/307 of IPC.

According to the prosecution story, Teliamura PS case no.77/2023 has been registered against the accused-applicant for allegedly committing offence under Sections 326/307 of IPC. The complainant by filing the alleged complaint stated *inter alia* that on 24.10.2023 at about 2 a.m. at night, the nephew of the complainant namely, Santanu Das was standing in front of the gate of his house. During that time, the accused was going to Khowai from Teliamura side by riding his motor vehicle and without any reason he stopped his motor vehicle on the road and started to stab repeatedly upon the nephew of the complainant by using knife with an intention to kill him. As a result, the entire intestine came out from the abdomen and the nephew of the complainant fell on the road in a pool of blood. Thereafter, the accused person is absconded.

From the F.I.R., it is revealed that the incident had occurred about a year back. From the case diary, it reveals that the investigation is almost completed. The victim himself is the injured witness.

In my opinion, this is not the stage of punishment. Since the injured victim is alive and capable of deposing himself in the witness box, on his sole testimony during trial the accused person may be convicted.

In view of this, in my opinion, this is a fit case for granting anticipatory bail to the applicant.

Accordingly, it is ordered that in the event of arrest, the applicant namely, Sri Pankaj Debnath shall be released on bail on furnishing a bond of Rs. 50,000/- with one surety of the like amount to the satisfaction of Investigating Officer. However, it is further directed that the applicant shall appear before the Investigating Officer thrice in a week. The Investigating Officer is given liberty to interact with the applicant at any length, if he so desires. It is further directed that the accused person shall not leave the jurisdiction of the Khowai Sessions Court without prior permission of the Investigating Officer.

With the aforesaid observations and directions, the instant anticipatory bail application stands allowed and disposed.

सत्यमेव जयते

JUDGE

Snigdha

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