

**HIGH COURT OF TRIPURA
AGARTALA
B.A.86 of 2025**

Sri Haradhan Das,
son of late Nirmal Das,
aged about 53 years,
resident of Maharani,
P.O. Maharani-799013,
P.S. R.K. Pur, Udaipur,
District-Gomati Tripura

-----Applicant(s)

Sri Ananta Das,
son of Sri Haradhan Das,
aged about 30 years,
resident of Maharani,
P.O. Maharani-799013,
P.S. R.K. Pur, Udaipur,
District-Gomati Tripura

-----Accused Person(s)

The accused person being lodged in judicial custody, the present petition is preferred by the father of accused person, namely, Haradhan Das, the applicant

Versus

The State of Tripura

-----Respondent(s)

For Applicant(s)	: Mr. Prasanta Sen Chowdhury, Adv.
For Respondent(s)	: Mr. Rajib Saha, Addl. P.P.

HON'BLE MR. JUSTICE BISWAJIT PALIT

Order

26/09/2025

This bail application under Section 439 of Cr.P.C. is filed for releasing the accused Sri Ananta Das on bail who is lodging in custody in connection with R.K. Pur P.S. Case No.111/2025 dated 06.08.2025 under Section 126(2)/118(2)/109(1)/3(5) of BNS, 2023.

Heard Learned counsel, Mr. P. Sen Chowdhury, Learned counsel appearing on behalf of the accused in custody and also

heard Learned Addl. P.P., Mr. R. Saha appearing on behalf of the State-respondent.

At this stage, Learned counsel for the accused in custody submitted that till today, the IO could not collect the injury report of the victim and the accused is lodging in jail since last twenty days. So, considering the period of detention of the accused in custody, the accused may be released on bail in any condition.

On the other hand, Learned Addl. P.P. submitted that the present case is registered under Section 126(2)/118(2)/109(1)/3(5) of BNS, 2023. The investigation of the case is in progress. It is on record that the present accused was produced under arrest before the Court of Learned JM, 1st Class, Udaipur on 06.09.2025 and since then, he is lodging in custody. I have also perused the CD produced by Learned Addl. P.P. Admittedly, there is no injury report of the victim lying with the record but there is one discharge summary from which it appears that the accused was admitted in the hospital for a considerable period of time. Learned Addl. P.P. also drawn the attention of the Court that although the alleged occurrence took place on 24.07.2025 but the case was registered on 06.08.2025. There was no explanation in respect of delay in lodging the FIR. So, on the ground of delay Learned counsel for the accused also urged for releasing the accused on bail.

The prosecution story in short is that on 24.07.2025 at about 3.30 p.m. the son of the informant namely Sudip Das was severely assaulted by one Nani Gopal Das in the courtyard of

one Kshetramohan Das by using stick, piece of wood and bamboo stick for which her son sustained severe injury. It was further stated in the FIR that due to causing of hurt, the victim sustained fatal injuries and he was admitted in the G.B.P. Hospital and his condition was critical and due to an incident at Natunbazaar, the accused persons assaulted him. The FIR was laid against one Sunil Das, Bimal Das and the present accused Ananta Das. However, in course of investigation, the IO caused arrest of accused Ananta Das and produced before the Court of JM, 1st Class, Udaipur on 06.09.2025 and since then, he is lodging in custody.

Admittedly, in the CD, there is no injury report of the victim, but there is one discharge certificate. I have also perused the CD. By this time, the IO has recorded the statement of some of the witnesses of the prosecution who are conversant with the facts and circumstances of the case. From the statement of witness recorded by IO in course of investigation it appears that on the alleged day, the victim was severely assaulted by the present FIR named accused persons and some others by bamboo stick, wooden stick etc. resulting which he sustained fatal injuries. But from the statement of witnesses it is not clear as to what role exactly was played by the present accused at that relevant point of time. However, the present case was registered under Section 126(2)/118(2)/109(1)/3(5) of BNS, 2023. The accused is lodging in jail on and from 06.09.2025 as already stated. By this time, the victim also has been discharged from the hospital.

However, considering the materials on record at this stage I am not inclined to release the accused on regular bail,

however, from the materials on record I am inclined to release the accused on interim bail till 20.12.2025 of his execution of bail bond of Rs.25,000/- with one surety of like amount to the satisfaction of Learned JM, 1st Class, Udaipur on condition that the accused shall appear before IO on every Monday and Thursday till next date. The accused shall not make any attempt to temper evidence on record of the prosecution and the accused shall not leave the jurisdiction of the Court without prior permission of Learned Trial Court below id to remain in JC as before. In case of violation of the conditions of bail, the IO shall be at liberty to approach for cancellation of bail to the concerned Learned Court.

With this observation, this bail petition stands disposed of.

Send down the record to the Learned Trial Court along with a copy of this order. Also return back the CD to IO through Learned Addl. P.P. along with a copy of this order. A copy of this order be supplied to Learned counsels.

JUDGE