

**HIGH COURT OF TRIPURA
AGARTALA**

AB 18 of 2023

Dr. Gagan Arora

..... **Petitioner(s)**

Versus

State of Tripura

..... **Respondent(s)**

For Petitioner(s) : Mr. PK Biswas, Sr. Advocate.

For Respondent(s) : Mr. S. Debnath, Addl. PP.

HON'BLE MR. JUSTICE T. AMARNATH GOUD

ORDER

10.08.2023

This present application has been filed under Section 438 of the Code of Criminal Procedure for releasing the accused petitioner on pre-arrest bail in connection with East Agartala Women Police Station P.S. Case No.34 of 2023 under Sections 417, 376 and 506 of the IPC.

[2] The fact of the case in brief is that the petitioner herein is a Post Graduate Student in the Department of Surgery of GBP Hospital, Agartala. On the basis of the FIR of East Agartala Women Police Station Case No.34 of 2023, police took up investigation against the accused petitioner which was registered under Sections 417, 376, 506 of the IPC. Apprehending arrest, the petitioner filed an application for anticipatory bail before the learned trial Court which was registered as B.A. 177 of 2023 and on 26.07.2023, learned court below was pleased to allow interim bail to the petitioner till 01.08.2023 and thereafter on 01.08.2023, after hearing learned counsel appearing for the parties, the learned trial Court rejected the bail application of the petitioner. Apprehending arrest by the police, the accused petitioner approached this Court for granting him pre-arrest bail on any condition.

[3] Heard Mr. P.K. Biswas, learned senior counsel appearing for the petitioner as well as Mr. S. Debnath, learned Addl. PP appearing for the State-respondent.

[4] Mr. Biswas, learned senior counsel appearing for the accused petitioner submits that the petitioner is an innocent person and he is ready to cooperate with the investigating agency.

[5] On the other hand, learned Addl. PP opposes the present application and urges this Court to dismiss this instant application as the custody and interrogation of the accused-petitioner is required for proper investigation of the matter.

[6] Heard both the sides and perused the record.

In view of the present circumstances, as the accused-petitioner herein is ready to cooperate with the investigation, this Court is inclined to allow this present anticipatory bail application. Accordingly, the accused-petitioner herein is granted pre-arrest bail on the following conditions:

- (i) He shall furnish a personal bond of Rs.50,000/- to the like amount alongwith 2(two) sureties to the satisfaction of the concerned authority.
- (ii) He shall cooperate with the investigation as well as the interrogation from 10:00 A.M. to 5:00 P.M. with the concerned investigating officer as and when he receives notice from the concerned authority.
- (iii) He shall not temper any evidence or influence the complainant or any other person during the course of investigation.
- (iv) He shall not leave the station without taking prior permission from the concerned authority.

Failing any of such conditions mentioned above, this anticipatory bail granted to the petitioner will stand automatically vacated and the investigating officer is at liberty to take appropriate steps in accordance with law.

With the above observations and directions, this present application stands allowed and thus disposed of.

JUDGE

Sabyasachi G.

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