

HIGH COURT OF TRIPURA
AGARTALA
A.B. 29/2024

Sanjit Roy	Versus	----Applicant(s)
The State of Tripura		----Respondent(s)

For Applicant(s)	:	Mr. S. Lodh, Advocate Ms. M. Dhar, Advocate Mr. S. Majumder, Advocate
For Respondent(s)	:	Mr. S. Ghosh, Addl. PP

HON'BLE MR. JUSTICE ARINDAM LODH
Order

26/07/2024

Heard Mr. S. Lodh, learned counsel appearing for the accused-applicant. Also heard Mr. S. Ghosh, learned Additional PP appearing for the respondent-State.

On the basis of a complaint, New Capital Complex PS case No. 2024 NCC 041 was registered under Sections 341/325/353/333/307/ 506/34 of the IPC and the police made several attempts to arrest the accused-applicant. On the apprehension of arrest, the accused-applicant, Sanjit Roy has presented the instant application before this Court for releasing him on anticipatory bail under any condition.

Appearing on behalf of the accused-applicant, Mr. Lodh, learned counsel has submitted that from the contents of the complaint, on the basis of which the above FIR was lodged, the ingredients of Section 333 and 353 of the IPC are not attracted. Mr. Lodh, learned counsel has submitted that the complainant in an in-turn and he is not a public servant. Secondly, there is no grievous injury at all to attract Section 307 IPC. Mr. Lodh, has further submitted that another accused was arrested in

connection with the instant case and the learned JM, 1st class, Agartala, West Tripura, while granting him bail has observed that there is doubt as to whether the complaint lodged by the complainant attracts Sections 307, 333, 353 of the IPC.

Mr. Ghosh, learned Additional PP has vehemently opposed the application. He submits that the arrest of the accused is necessary for the purpose of investigation. He has produced the case diary before this court. Learned Additional PP has further submitted that another case was registered against the present applicant bearing NCC PS case no. 33 of 2024 under Sections 148, 149, 341, 326, 506, 34 of the IPC dated 29.04.2024, but in that case also the accused has been shown to be absconding.

I have perused the case diary.

The incident took place at about 11.00 p.m. at the entry gate of GBP hospital. It is alleged that 3 persons were driving Scooty in rash and negligent manner and the complainant tried to caution them. However, the accused persons became furious and there was an altercation between them.

Considering the nature of the present case, I find this is a fit case for granting anticipatory bail to the accused-applicant for the reason that police had tried to implicate the accused-applicant with such non-bailable offences, ingredients of which are not at all attracted.

Accordingly, it is ordered that in the event of arrest, the accused-applicant, namely, **Sanjit Roy**, shall be released on pre-arrest bail, on furnishing bail bond of Rs. 50,000/- supported

with one surety of the like amount to the satisfaction of the Arresting Authority.

However, it is directed that the accused-applicant shall appear before the Investigating Officer on 28.07.2024. It is further directed that the accused shall not try to tamper the evidence and he shall not leave the jurisdiction of PS concern without prior permission of the Investigating Officer.

With the above direction, the instant application stands allowed and thus disposed of.

Return back the case diary

JUDGE

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