

**HIGH COURT OF TRIPURA
AGARTALA
B.A. No.68 of 2024**

Sri Sujit Sarkar on behalf of accused person
Sri Tandip Das.

-----Applicant(s)

Versus

The State of Tripura.

-----Respondent(s)

For Applicant(s) : Mr. K. D. Singha, Adv.

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

HON'BLE MR. JUSTICE BISWAJIT PALIT

Order

18/11/2024

Learned Counsel, Mr. K. D. Singha is present for the accused in custody. Learned P.P., Mr. R. Datta along with Learned Addl. P.P., Mr. S. Ghosh appeared on behalf of the State-respondent.

In pursuance of the order dated 08.11.2024, Learned P.P. has produced the case diary along with the report of SFSL.

Heard both the sides at length and also perused the C.D.

Considered.

In this case, the gist of the prosecution in brief is that on 16.09.2024, one Sri Krishnadhan Debnath laid an FIR to O.C., Women P.S., Udaipur, Gomati District alleging inter alia that about 12 years back the marriage of his sister was solemnized with the accused, Tandip Das out of love affair and after the marriage, the accused Tandip Das and his mother started causing mental and physical torture upon her and on this issue so many meetings were held. About 9 months back, accused Tandip Das severely assaulted his sister, Puja Debnath.

Based on this incident, a case was filed to the O.C., Women P.S. at Udaipur, but by the intervention of well-wishers of both the parties, the matter was settled. After that some days were elapsed peacefully, but again the accused persons started causing torture upon his sister. It was further alleged that the accused, Tandip Das used to cause torture upon his sister claiming money amounting to Rs.1,00,000/-. As she refused, the torture continued. On 15.09.2018, his sister Puja Debnath was given saline by her husband and mother-in-law to their house and after administering of saline, his sister fainted in pang of death.

It was further asserted that the accused, Tandip Das was a male nurse and his mother was also working as a nurse. According to the informant, due to administration of poison, his sister expired. Hence, he laid the FIR. Accordingly, R.K. Pur Women P.S. Case No.48 of 2024 under Section 85/103(1)/3(5) of BNS was registered against the present accused in custody and his mother. The present accused is lodging in custody w.e.f. 17.09.2024.

I have heard detailed argument of both the sides and perused the relevant prosecution papers and also the report of SFSL procured by I.O. during investigation. From the report of SFSL, it appears that after examination of exhibits they found positive materials in the exhibits which indicates the administration of poisonous substance upon the victim through saline, which may lead to the death of the deceased. So, considering the materials on record and the report of SFSL, at this stage, I find no scope to consider the bail application filed

by the accused in custody. Hence, the bail application filed on behalf of the custody accused stands rejected being devoid of merit at this stage. The I.O. be asked to expedite the investigation and to submit report to the Learned Jurisdictional Magistrate at an earliest.

Return back the C.D. to I.O. through Learned P.P. along with a copy of this order, which be supplied in course of the day.

Also return back the LCR to the Court of Learned Jurisdictional Magistrate along with a copy of this order.

The accused is to remain in J/C as before.

With this observation, this bail application stands disposed of.

JUDGE

