

**HIGH COURT OF TRIPURA
AGARTALA
I.A.01 of 2025 in B.A.No.90 of 2024**

Sri Akash Sarkar,
son of Sri Kanu Sarkar
of Bagber, Dakshin Tilla,
P.O. Kalashimura, P.S. Kalamchowra,
District-Sepahijala, Tripura

----- Applicant(s)

Versus

The State of Tripura

-----Respondent(s)

For Applicant (s)	:	Mr. S. Sarkar, Sr. Adv. Mr. D. Gope, Adv.
For Respondent(s)	:	Mr. Raju Datta, P.P. Mr. R. Saha, Addl. P.P.

HON'BLE MR. JUSTICE BISWAJIT PALIT

Order

28/01/2025

This is a petition under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 praying for granting regular bail or extension of interim bail granted to the accused-petitioner Akash Sarkar till 30.01.2025 as per order dated 18.12.2024 passed by this Court in connection with Case No.B.A.90 of 2024.

[2] Heard Mr. S. Sarkar, Learned senior counsel assisted by Mr. D. Gope appearing on behalf of the accused-petitioner and also heard Mr. R. Saha, Learned Addl. P.P. appearing on behalf of the State-respondent.

[3] At this stage, Mr. S. Sarkar, Learned senior counsel appearing on behalf of the accused-petitioner drawn the attention of the Court that as per order of the Court, the accused was released on interim bail and he is appearing before IO as ordered by this Court time to time but his period of extension is likely to expire on 30.01.2025. So, considering all, he may either be released on regular bail or his period of interim bail may be further extended. It was further submitted that after expiry of the statutory period, the other accused-persons have been granted regular bail.

[4] Mr. R. Saha, Learned Addl. P.P. appearing on behalf of the State-respondent submitted that a report may be called for in this regard.

[5] I have heard both the sides at length and perused the earlier order dated 18.12.2024 passed by this Court in B.A.No.90 of 2024. However, considering the nature and gravity of the offence, at this stage, in absence of the original case record and the case diary there is no scope to grant him regular bail. However, the period of interim bail as of this accused namely Akash Sarkar in connection with Kalamchowra P.S. Case No.2024/KLC/070 under Section 126/87/76/117(2)/3/5 of BNS, 2023 and with added Section 67 of Information Technology Act, 2000 is further extended till 28.02.2025 of his execution of a fresh bail bond of Rs.50,000/- with one surety of the like amount to the satisfaction of Learned CJM, Sepahijala District, Sonamura on condition that the accused shall attend IO once in a week till next date and he shall not leave the jurisdiction of the Court without prior permission of the Learned jurisdictional Magistrate. In default, he can be taken into custody. However, on 28.02.2025, the accused shall surrender before the Learned Court and on that day, the Learned jurisdictional Magistrate after hearing the parties shall consider to grant regular bail to the accused on merit in accordance with law. The IO also shall produce the case diary before the Court of Learned CJM on that day. The accused need not appear before the High Court for the same purpose.

A copy of this order be accordingly communicated to the Learned CJM, Sepahijala District, Sonamura for information and compliance. A copy of this order be sent to IO through Learned P.P. in course of the day. A copy of this order be supplied to Learned senior counsel, Mr. S. Sarkar appearing on behalf of the accused-petitioner for information and compliance.

With this observation, this petition is disposed of.

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JUDGE