

**HIGH COURT OF TRIPURA
AGARTALA**

A.B. 10/2025

Sri Pradyut Dhar Choudhury

-----Applicant(s)

Versus

The State of Tripura

-----Respondent(s)

For Applicant(s)	:	Mr. D. Bhattacharjee, Sr. Advocate Mr. S. Saha, Advocate
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For Respondent(s)	:	Mr. R. Datta, PP Mr. BN Majumder, Spl. PP Mr. S. Lodh, Spl. PP
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HON'BLE MR. JUSTICE ARINDAM LODH
Order

11/02/2025

Heard Mr. D. Bhattacharjee, learned senior counsel assisted by Mr. S. Saha, learned counsel appearing for the applicant. Also heard Mr. R. Datta, learned PP, Mr. BN Majumder, learned Special PP and Mr. S. Lodh, learned Special PP appearing for the respondent-State.

This is an application filed under section 438 of Cr.P.C. for granting anticipatory bail to the applicant in connection with Airport PS case No. 37 of 2024, corresponding to PRC(WP) 382 of 2024 registered under Sections 302/120(B) of the IPC and Section 27 of the Arms Act.

The short facts are that the applicant was arrested in connection with a gruesome murder case in the heart of the city. While the applicant was in custody, his mother died and for that reason, the applicant had applied for bail before the learned Sessions Judge of the competent jurisdiction. The learned Sessions Judge, West Tripura, Agartala, considering the death of the mother of the applicant and the applicant being the son, by its order dated 11.11.2024 enlarged him on interim bail till 29.11.2024 to attend the cremation ceremony and also to perform the rituals according to Hindu rites and customs. As per Hindu rites and customs, the ritual was to be completed on 23.11.2024. The Court while releasing the applicant on interim bail imposed certain conditions *viz. the applicant shall not leave his residence at Ushabazaar, Agartala, after completion of the cremation of his deceased mother without prior permission of the O/C, Airport PS till 29.11.2024 and the applicant shall surrender before the court of learned CJM, West Tripura, Agartala on 30.11.2024 at 10.30 a.m. after expiry of the period of ad-interim bail.*

According to the order dated 11.11.2024, the applicant had to surrender before the court of learned CJM, West Tripura, Agartala on 30.11.2024.

It is the case of the applicant that he suddenly felt ill on 27.11.2024 and he visited AGMC & GBP hospital, Agartala, where the doctor advised him to take admission in the hospital, but, he refused to take admission and on his own wisdom he left for Kolkata on 28.11.2024. The applicant visited Sankar Netralaya and Narayana Health Centre, Kolkata, where some tests were conducted.

Mr. Bhattacharjee, learned senior counsel, appearing for the applicant could not place on record anything before this court that the applicant was given any advise for further treatment. This Court has put a straight question to learned senior counsel about the consequence of conducting the tests in the hospital in Kolkata, but, learned senior counsel has fairly submitted that there is nothing on record about the consequence of conducting tests done in the hospital in Kolkata. Mr. Bhattacharjee, learned senior counsel has submitted that thereafter the applicant returned to Agartala but, learned senior counsel could not submit the date of return of the applicant to Agartala.

It transpires from the records that on 18.12.2024, the applicant had consulted with a Cardiac Surgeon in Agartala. As per his advise, the applicant got admitted in AGMC & GBP hospital. On 24.12.2024 he was again medically examined in the Outdoor Department of AGMC & GBP hospital, Agartala, and on 25.12.2024 he was admitted in the said hospital. On 26.12.2024 the applicant was subjected to Angioplasty and discharged on 28.12.2024. Another Angioplasty has been recommended by the doctors. Thereafter, the applicant has filed an application before the learned Sessions Judge, West Tripura, Agartala for releasing him on anticipatory bail, but that bail application was rejected by the learned court vide order dated 07.01.2025. Feeling aggrieved, the applicant has approached this court by presenting the instant anticipatory bail application.

Mr. Bhattacharjee, learned senior counsel has submitted that the present state of health of the applicant is not conducive to detain him in custody. So, this court may pass order releasing him on anticipatory bail. It is further submitted that in the meantime the court has issued warrant of arrest against the applicant for deliberate violation of the court's order.

Opposing the bail application, learned PP and learned Special PPs have submitted that the applicant intentionally has flouted the court's order. According to the learned counsel appearing for the respondent-State, the applicant had ample opportunity to inform the Officer-in-Charge of Airport PS before leaving his jurisdiction for Kolkata. According to them, the applicant must first obey the court's order because he was released on interim bail to attend the cremation of his mother and to perform the rituals due to her death.

I have considered the matter.

My firm opinion is that the applicant must have obeyed the court's order first and ought to have surrendered before the court because apparently he has flouted the court's order.

From the chronological events which I have discussed in the preceding paragraphs, it is clear that considering the state of health, the applicant could have easily taken permission from Airport PS before he left for Kolkata from Agartala. It is not the case of the applicant that he had gone to Kolkata in an unconscious or cripple condition. Definitely some complaints were there but, those complaints, according to me, at this stage do not bear enough complicity. Furthermore, the applicant could take permission from the concerned Court also explaining his state of health.

In the light of above, I am not inclined to release the applicant on anticipatory bail. It is directed that the applicant shall surrender before the court of learned CJM, West Tripura, Agartala to comply the order of the court.

With the aforesaid observations and directions, the instant bail application stands rejected and thus disposed.

JUDGE

SAIKAT KAR Digitally signed by
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