

**HIGH COURT OF TRIPURA
AGARTALA
A.B. No.25 of 2025**

Sri Sataraj Karmakar,

aged about 39 years, son of Sri Anil Karmakar, C/o Sri Achinta Datta, resident of Nandannagar, near AMC Ward No.6 office, P.O. Bankumari, 799006, P.S. New Capital Complex, District-West Tripura.

---- Accused applicant(s)

Versus

The State of Tripura

----Respondent(s)

For Applicant(s)	:	Mr. Sankar Lodh, Adv. Mr. Subham Majumder, Adv.
For Respondent(s)	:	Mr. Raju Datta, P.P. Mr. Rajib Saha, Addl. P.P.

HON'BLE MR. JUSTICE BISWAJIT PALIT

Order

16/04/2025

This application is filed under Section 482 of BNSS, 2023 for granting pre-arrest bail to the accused-applicant namely, Sri Sataraj Karmakar in connection with East Agartala Women PS case No.2025 WEA 009 registered under Section 69/115(2)/351/3(5) of the BNS, 2023.

Learned Counsel, Mr. Sankar Lodh is present on behalf of the accused-applicant. Learned P.P., Mr. Raju Datta along with Learned Addl. P.P., Mr. Rajib Saha are present on behalf of the State-respondent.

As ordered earlier, Learned P.P. has produced the case diary today.

Taking part in the hearing, Learned Counsel, Mr. Lodh appearing on behalf of the accused-applicant first of all drawn the attention of this Court, referring to the contents of the F.I.R. that in

the F.I.R., there are no specific dates on which the alleged accused i.e. the accused-applicant committed rape upon the alleged victim of this case and furthermore submitted that the allegation of the victim is not supported by any cogent materials on record, so, this Court vide order dated 18.03.2025 extended interim bail to the accused-applicant till today. It was further submitted by Learned Counsel for the accused-applicant that as per order of this Court the accused-applicant has complied with the directions given by this Court and there is no violation of the order of this Court and even the I.O. also failed to satisfy the Court that the accused-applicant has flouted the conditions of interim protection granted to him. So, Learned Counsel finally urged for granting of regular pre-arrest bail to the accused-applicant.

On the other hand, Learned Addl. P.P. appearing on behalf of the State-respondent submitted that there are materials against the accused-applicant showing his implication with the alleged crime. So, he urged for rejection of the interim bail granted to the accused-applicant and further stated that in course of the investigation the I.O. has collected sufficient materials against the accused-applicant showing his implication with the alleged crime.

Considered.

The gist of the F.I.R., in brief, was that on 14.02.2025, the informant-cum-victim of this case laid an F.I.R. to O/C East Agartala Women PS alleging *inter alia* that on 14.02.2025 when she went to GB Hospital, Agartala that time the accused-applicant was working therein and when the victim asked the accused-applicant as to why he uploaded her inappropriate photos and videos in Emo and Facebook, the accused-applicant attempted to assault her with iron rod but an

unknown person saved her. Thereafter, the accused-applicant called two women guards from GB Hospital who assaulted her on the allegation of theft. It was further mentioned in the F.I.R. that the informant victim and the accused-applicant were used to reside in a same rented house and during such stay, the accused-applicant, concealing himself took her naked photos and videos when she used to take bath. The accused-applicant, by blackmailing her, called her to his office at GB Hospital and forcibly made physical relation with her and by showing those photographs he used to threaten her saying that he would kill her and out of fear she did not disclose it to anybody. Finding no other alternative way she laid the F.I.R. In the F.I.R., it was also stated that when she felt ill, she was taken to one Dr. Santi Kumari Debbarma for her treatment and on so many occasions that doctor forced her to consume unwanted 72 pills. She informed everything in writing to the Women PS during the year 2022-23 but no action was taken. Thereafter, she informed the matter to her landlord, Achinta Datta where the accused-applicant also used to reside and also to the local club but said Achinta Datta did not take any step and according to the informant, presently one Ratul De and said Achinta Datta are trying their level best to save the accused-applicant and on false allegation the women guards assaulted her. These are the sum and substance of the F.I.R. laid by the informant to the O/C of the concerned PS.

I have also perused the case diary and the statement of the victim and other witnesses including her judicial statement recorded by Learned Judicial Magistrate 1st Class, Court No.7, Agartala, West Tripura.

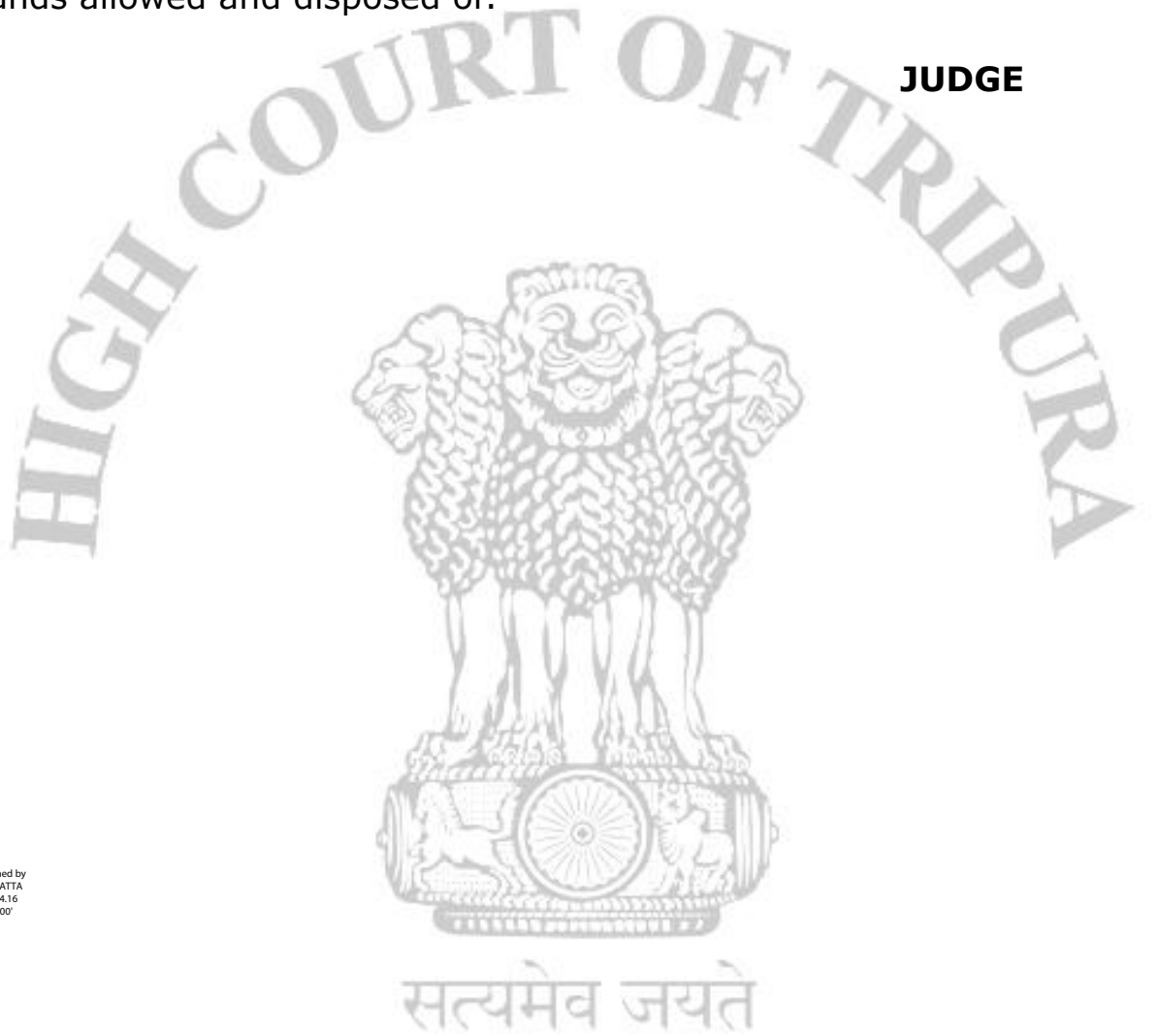
From the case diary it appears that the victim and the accused-applicant had love affair for certain period and out of that the accused-applicant made physical relation with her, but from the contents of the F.I.R., it is not clear on which dates the accused-applicant committed rape upon her and there is also no evidence on record that the accused-applicant deceived her to have sexual relation with her.

Narrating all these facts, the victim earlier could seek redress, but there is no such evidence on record. Although she stated that she sought redress to PS earlier and no action was taken. However, in this regard no conclusive proof is found in the case diary. The victim raised allegation only after the fact of assaulting her. Furthermore, there is no evidence on record that the accused-applicant has violated the conditions of interim protection granted to him. So, considering the facts and circumstances of the case, I would like to grant pre-arrest bail to the accused-applicant of his furnishing bond of Rs.30,000/- with one surety of like amount to the satisfaction of O/C of the concerned PS in the event of his arrest by the arresting authority on condition that the accused-applicant shall appear before the I.O. once in a week till conclusion of the investigation and he shall not make any attempt to threaten or tamper the evidence on record of the prosecution nor shall he leave the jurisdiction of the concerned PS without prior permission of the arresting authority, failing which the I.O. of this case shall be at liberty to proceed in accordance with law. However, liberty is given to the accused-applicant to approach for relaxation of the conditions of bail to the concerned Learned Jurisdictional Magistrate, if so required.

Return back the CD to the I.O. through Learned Addl. P.P. with a copy of this order. A copy of this order also be supplied to Learned Counsel, Mr. Lodh appearing on behalf of the accused-applicant for information and necessary action. Also return back the record of the Learned Jurisdictional Magistrate, if it is called for.

With this observation, the anticipatory bail application stands allowed and disposed of.

JUDGE



Snigdha

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A DATTA

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