

**HIGH COURT OF TRIPURA  
AGARTALA  
B.A.No.14 of 2025**

**Smt. Rinku Das Chowdhury,**  
W/O-Shanti Bhusan Chowdhury,  
resident of Nayagram, Surjyamani Nagar,  
Tripura University, West Tripura, Pin-799022.

---- Applicant for and on behalf of the accused person

**Sri Suman Ghosh,**  
S/O-Subhash Ghosh,  
resident of Chowmuhanani , Narayan Bazar,  
Khamui, P.S.-Amtali, P.O.-Tripura University.

Versus

**The State of Tripura**  
Represented by the Secretary, Department of Home,  
New Capital Complex, Agartala, West Tripura.

----Respondent(s)

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|-------------------|---|------------------------|
| For Applicant(s)  | : | Mr. Saugat Datta, Adv. |
| For Respondent(s) | : | Mr. Raju Datta, P.P.   |

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**HON'BLE MR. JUSTICE BISWAJIT PALIT**

**Order**

**01/04/2025**

This bail application is filed under Section 439 of Cr.P.C. for releasing the accused, Sri Suman Ghosh on bail in connection with Amtali PS case No.28 of 2021 registered under Sections 366 and 376 of IPC read with Section 4 of POCSO Act.

Heard Learned Counsel, Mr. Saugat Datta appearing on behalf of the accused-in-custody. Also heard Learned P.P., Mr. Raju Datta appearing on behalf of the State-respondent.

Taking part in the hearing, Learned Counsel, Mr. Datta appearing on behalf of the accused, first of all drawn the attention of this Court referring the contents of the F.I.R., the 164 statement of the victim girl and submitted that both the accused and the victim girl got married to each other. Learned Counsel appearing on behalf of the accused further submitted that the prosecution up to this stage, although has adduced 8(eight) numbers of witnesses but from the evidence on record, no incriminating

evidence reveals against the accused-in-custody and furthermore the mother-in-law of the accused i.e. the mother of the victim herself has filed this bail application on behalf of the accused before this Court. So, he urged for releasing the accused on bail in any condition.

On the other hand, Learned P.P., Mr. Datta appearing on behalf of the State-respondent submitted that considering the evidence on record, the bail application may be rejected at this stage.

Considered.

In this case, on the basis of an F.I.R. laid by one, Smt. Rinku Das Chowdhury i.e. the informant, the case was registered.

The gist of the F.I.R., in short is that in the F.I.R. the informant stated that her minor daughter had love relation with the accused for last 2(two) years and she had eloped with the accused multiple times. However, with the help of local people, she got her daughter back and considering the future of her daughter she did not file any F.I.R. against the accused earlier. Later on, on 01.03.2021, the accused again forcefully took her daughter and established physical relation with her and hence she laid the F.I.R. On the basis of the F.I.R., the case was registered, the accused was arrested and the IO after completion of the investigation laid charge-sheet against the present accused.

I have seen the F.I.R., the 164 statement of the victim and also the evidence on record. Prosecution before the learned Court, up to this stage has adduced total 8(eight) numbers of witnesses. The accused was first produced before the Court on 05.03.2021 and at one point of time he was released on bail but on different occasions he did not turn up before the Court and accordingly, warrant of arrest was issued against him and later on during the trial before the Learned trial Court, prosecution out of 11(eleven) numbers of witnesses have adduced 8(eight) numbers of witnesses.

I have also examined the evidence on record of the informant and the victim. The trial is almost complete excepting recording evidence of

only 3(three) witnesses. So, considering the period of detention of the accused-in-custody and the materials on record, at this stage I am inclined to release the accused on regular bail on his execution of bail bond of Rs.50,000/- with two sureties of like amount to the satisfaction of Learned Court below on condition to attend the Court of Learned Special Judge(POCSO) twice in a week i.e. on every Monday and Thursday, till conclusion of trial of this case i.d. to remain in J/C as before.

Send down the LCR along with a copy of this order. A copy of this order also be supplied to Learned counsel appearing for the applicant for information and compliance.

With this observation, this bail application stands allowed disposed.

**JUDGE**

*Snigdha*

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A DATTA

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