

**HIGH COURT OF TRIPURA
AGARTALA
B.A.No.17 of 2025**

Manash Barman,
S/O-Late Nidhu Bhusan Barman,
P.S.-Melaghar, District-Sepahijala, Tripura.

---- Accused applicant(s)

Versus

The State of Tripura

----Respondent(s)

For Applicant(s)	:	Mr. Ratan Datta, Adv. Mr. Aditya Baidya, Adv. Ms. Saswati Nag, Adv.
For Respondent(s)	:	Mr. Raju Datta, P.P.

HON'BLE MR. JUSTICE BISWAJIT PALIT

Order

01/04/2025

This bail application is filed under Section 483 of BNSS for releasing the accused, Sri Manash Barman on bail who is lodging in custody in connection with Melaghar PS case No.64 of 2024 registered under Sections 85/103(1)/351(1)/3(5) of BNS, 2023.

Heard Learned Counsel, Mr. Ratan Datta along with Learned Counsel, Ms. Saswati Nag 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. Ratan Datta appearing on behalf of the accused, first of all drawn the attention of this Court that there is no allegation against the present accused in the F.I.R., showing his implication with the alleged crime. Learned Counsel further submitted that whatever the allegation is, that was only raised against the husband of the victim and furthermore, by this time, the husband of the victim i.e. the principal

accused and mother-in-law of the victim and others have already been granted bail and the present accused who is lodging in custody on and from 15.01.2025 shall be released on bail. Moreso, it was also submitted that the present accused is having separate ration card and he is residing in a separate residence along with his family members, as such, he has been falsely implicated. So, considering the period of detention of the accused-in-custody and also the materials on record, Learned Counsel, Mr. Ratan Dattan urged for releasing the accused on bail in any condition.

On the other hand, Learned P.P. appearing on behalf of the State-respondent drawn the attention of this Court that considering the materials on record further detention of the accused is required for the sake of investigation of this case.

Considered.

In this case, the prosecution was set into motion on the basis of an F.I.R. laid by one, Binapani Singha alleging *inter alia* that about 14 years back her younger sister, Smt. Haimanti Singha got married to the accused, Sri Mrinal Kanti Barman in furtherance of love affair and ultimately their marriage was registered in Court and both the families accepted their marriage and during their marriage her father had provided them with cash money, gold ornaments, furniture, etc. It was also mentioned in the F.I.R. that after marriage her sister resumed conjugal life peacefully for a period of 6(six) months but thereafter, on petty family affairs her brother-in-law and other family members of the accused used to cause torture upon her. They started causing mental and physical torture upon her claiming cash money. But her sister did not lodge any complaint against them to PS

considering her future and on 20.12.2024, the husband of her sister threatened to kill her and at about 3:30 a.m. in the morning taking advantage of solitude her sister was forcefully dragged to the roof of the house wherein her sister was set ablaze by pouring kerosene oil by her husband. That time her sister started shouting for saving her life and on hearing shouting her daughter came out of her room and found that her father was coming down from the roof of the house. Thereafter, her sister was brought to Melaghar Hospital from where she was referred to GB Hospital for better treatment but on 20.12.2024 at about 8:30 p.m in the night her sister succumbed to her injury and her brother-in-law, Mrinal Kanti Barman soon after the incident fled away and hence the F.I.R. was laid. Accordingly, the case was registered against Mrinal Kanti Barman, Usha Rani Barman, Sri Manash Barman and Smt. Jhuma Barman. The investigation of the case is in progress but in the meantime, the accused, Sri Mrinal Kanti Barman and Smt. Usha Rani Barman have been enlarged on bail.

I have also perused the Case Diary. On perusal of the materials on record, I do not find any direct implication of the present accused, Manash Barman showing his implication with the alleged crime which shows justification of his further detention in custody.

So, considering the materials on record and also the period of detention of the accused-in-custody, I am inclined to release the accused, Manash Barman to go on bail of his execution of bond of Rs.50,000/- with one surety of like amount to the satisfaction of Learned Jurisdictional Magistrate on condition that the accused shall attend the Learned Court below once in a week until further order and he shall not make any attempt to tamper the evidence on record of

the prosecution nor he shall leave the jurisdiction of the Court without prior permission of the learned Jurisdictional Court, in default to remain in J/C as before. The accused applicant shall be at liberty to approach for modification of the conditions of bail granted to him before the learned Court below later on.

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

Send down the LCR along with a copy of this order. Return back the CD to the I.O. through Learned P.P. along with a copy of this order.

A copy of this order be supplied free of cost to the Learned counsel for the accused-in-custody.

JUDGE

Snigdha

MOUMITA
A DATTA

Digitally signed by
MOUMITA DATTA
Date: 2025.04.01
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