

**HIGH COURT OF TRIPURA  
AGARTALA  
A.B. No.31 of 2025**

**Sri Shibu Mani Nath**, aged about 51 years,  
Son of Late Khirod Chandra Nath,  
Resident of West Panisagar,  
Ward No.:-04,  
PS- Panisagar, Dharmanagar,  
Dist.- North Tripura,  
Pin-799260

**.... Applicant(s)**

**Versus**

**The State of Tripura**

**.....Respondent(s)**

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For Applicant(s) : Mr. Alik Das, Adv.

For Respondent(s) : Mr. Raju Datta, P.P.

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

**Order**

**28/04/2025**

This bail application under Section 482 of BNSS, 2023 is filed for granting pre-arrest bail to the accused Shibu Mani Nath in connection with Panisagar P.S. Case No.017 of 2025 under Section 305/3(5) of BNS, 2023.

Heard Learned Counsel Mr. A. Das appearing on behalf of the petitioner-accused and also heard Learned P.P. Mr. R. Datta appearing on behalf of the State.

As per earlier order, Learned P.P. has produced the CD.

Taking part in the hearing, Learned Counsel for the accused-applicant drawn the attention of the Court that on the basis of an FIR laid by BDO, Panisagar RD Block, North Tripura to OC, Panisagar Police Station, this present case has been accordingly registered.

Learned Counsel further submitted that the IO seized 54 bags of cement from the residence of the applicant which were kept

by one Bimal Nath on the ground that his vehicle was out of order in course of transshipment of said goods but the said item was seized from his residence by the police in presence of the informant believing that he is involved in this matter.

Learned Counsel also submitted that the applicant had no evil intention and he had no knowledge that those articles were stolen property. So, Learned Counsel urged for releasing the applicant on bail in any condition and further submitted that he will co-operate with the investigation.

On the other hand, Learned P.P. appearing for the State-respondent submitted that receiving or keeping of stolen goods is also an offence.

So, at this stage of investigation, considering the gravity of the offence, the bail application may be dismissed because there is no evidence on record that the present applicant is totally innocent.

Considered.

In the FIR it was alleged by the BDO i.e. the informant that based on one information the informant along with the DCM, Panisagar and Police Personal conducted raid in the house of one Shibu Mani Nath, son of Late Khirod Chandra Nath, resident of Panisagar, Ward No.4 on 3<sup>rd</sup> March, 2025 at about 10.15 p.m. And in course of search total 54 nos. of bags containing cement belonging to RD Department were found in the garage of said Shibu Mani Nath. Being asked said Shibu Mani Nath submitted that those were kept by Bimal Nath who owns a Bolero pickup truck which was sometimes used for carrying RD materials to work sites by respective implementing officer of various works. Accordingly, Bimal Nath was called for and on being asked said Bimal Nath accepted that he kept

the cement two days back because his vehicle broken down but he did not inform the same to the government officials regarding this.

Thus, on the basis of suspicion the FIR was laid. I have also perused the CD.

It is the admitted position that the seized 54 bags of cement were kept in the residence of the present petitioner. But at the same time, it is also on record that due to disorder of vehicle said Bimal Nath kept those materials to the residence of Shibu Mani Nath till the materials collected by IO.

Up to this stage of investigation this Court finds no satisfactory evidence on record that said Shibu Mani Nath retained or kept those cement knowing the same to be stolen.

Situated thus, at this stage I find no scope to dismiss the pre-arrest bail filed by the accused-petitioner and accordingly, the anticipatory bail application filed by the applicant is allowed.

The accused Shibu Mani Nath may be released on bail on his execution of bail application bond of Rs.50,000/- with one surety of like amount to the satisfaction of OC, Panisagar on condition that he shall appear before IO as and when called for and shall not leave the jurisdiction of the PS area without prior permission of the O/C PS.

Send down the LCR along with a copy of this order.

A copy of this order accordingly be supplied to the Learned counsel appearing for the applicant in course of the day.

Return back the CD to IO through Learned P.P along with a copy of this order.

Accordingly, the pre arrest bail stands disposed of.

**JUDGE**

*Amrita*

**AMRITA DEB**

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