

**HIGH COURT OF TRIPURA
AGARTALA
B.A. No.26 of 2025**

Rahima Begam,
W/O Md. Jahar Miah,
Resident of Matinagar,
P.S.- Amtali, P.O.- Sekerkote,
District- West Tripura

On behalf of Accused Md. Jahar Miah

S/O Idan Miah,
Resident of Matinagar,
P.S.- Amtali, P.O. Sekerkote,
District- West Tripura

.... Accused-Petitioner(s)

Versus

The State of Tripura,
Represented by the Secretary
To the Home Department,
New Secretariat, P.S.- NC.C.
P.O.- Kunjaban, District-West Tripura.

.....Respondent(s)

For Applicant(s)	:	Mr. Debalay Bhattacharya, Sr. Adv. Mr. Soumyadeep Saha, Adv.
For Respondent(s)	:	Mr. Raju Datta, P.P.

HON'BLE MR. JUSTICE BISWAJIT PALIT

Order

28/04/2025

Learned Senior Counsel, Mr. D. Bhattacharya assisted by
Learned Counsel Mr. S. Saha is present for the accused-petitioner.
Learned P.P., Mr. R. Datta is present for the State-respondent.

Heard both the sides at length and perused the relevant
orders. It appears that the accused remained absent for a
considerable period of time to the Learned Court below. Thereafter,
by order dated 04.06.2024 warrant of arrest was issued against him.

In the meantime, by order dated 07.02.2025 another calendar is fixed on and from 01.05.2025 to 06.05.2025 for recording evidence of PWs.

Learned Senior Counsel Mr. D. Bhattacharya further submitted that he has been granted bail in another case bearing No.Special (NDPS) 37 of 2025 by order dated 17.03.2025.

As such he is on bail in that case. But if in this case bail is not granted then he would not be able to take proper defence in this case.

On the other hand, Learned P.P. strongly opposed the bail application and submitted that the conduct of the accused was not at all satisfactory. Due to his absence trial could not be proceeded with.

I have also perused the orders passed by Learned Court below on various dates. It appears that the conduct was not at all satisfactory. In some occasion, either he remained present or represented by his Learned counsel.

However, for the sake of justice and to conduct the case properly, an opportunity be given to the accused to cooperate with the trial properly.

Accordingly, considering the submission of Learned Senior Counsel for the applicant, the accused may be released on bail of his execution of bond of Rs.1,00,000/- (Rupees One Lakh) with two sureties of like amount subject to the satisfaction of Learned Trial Court below i.e. the Learned Special Judge (Court No.4), West Tripura, Agartala on condition that he shall attend before the Learned Trial Court once in a week till conclusion of trial and he shall not leave the jurisdiction of the Court without

prior permission of the Court id to remain in JC as before. If he violates the conditions of the bail and misuses the liberty granted to him in that case prosecution shall have the right to file appropriate application before the Court for cancellation of bail granted to him.

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

A copy of this order be supplied to Learned senior counsel, Mr. D. Bhattacharya for the accused in custody. A copy of this order be supplied to Learned P.P. in course of the day.

The bail application is thus disposed of accordingly.

JUDGE



**AMRITA
DEB**

Digitally signed by
AMRITA DEB

Date: 2025.04.28
18:54:20 +05'30'