

**HIGH COURT OF TRIPURA
AGARTALA**

Crl.A.(J) 38 of 2025

For Petitioner(s)	:	Mr. Ratan Datta, Advocate. Mr. Rakesh Debnath, Advocate.
For Respondent(s)	:	Mr. Raju Datta, PP. Mr. R. Saha, Addl. PP.

HON'BLE JUSTICE DR. T. AMARNATH GOUD

Order

16.06.2025

This is an appeal under Section 415 of BNSS against the impugned Judgment and order of conviction and sentence dated 12.3.2025 passed by the learned Additional Sessions Judge, Gomati Tripura, Udaipur in Case No. ST 36 of 2024 (Type-I).

[2] The prosecution case as revealed from the written ejahar is that, on 18.8.2024 at around 20:30 hrs, the complainant had received a secret information from credible source that one Bir Kumar Uchai has reportedly harbored 7/8 Rohingya/ Bangladeshi nationals in the house located at Lampra Bazar within a distance of about 7/8 Km from International Border with an intention of human trafficking. Thereafter as per the order of the I/C Nutan Bazar P.S, the complainant formed a raid team and proceeded towards the house of Bir Kumar Uchai and after reaching the alleged house and conducting search at around 2120 hrs, 8(Eight) suspected Bangladeshi Nationals were found who failed to disclose their identity and address proof. The Case was registered and transferred to the Court of Additional Sessions Judge, Gomati Tripura, Udaipur. After hearing of both the parties, Ld. Court below convicted the appellant Under 14(A)(b) of Foreigners Act of IPC and thereby sentenced him to suffer simple imprisonment for 2 years for the commission of offence Under 14(A)(b) of Foreigners Act with fine of Rs. 30,000/- in default of payment of the same, he shall suffer SI for three months and also convicted under Section 3 of the Passport Amendment Act, 2000 and thereby sentenced him to suffer simple imprisonment for 3 months with fine of Rs.

25,000/- in default of payment of the same, he shall suffer SI for 2 (two) months for the commission of offence Under Passport Amendment Act, 2000 and both the sentences shall run concurrently. Hence this appeal.

[3] During the course of the argument, Mr. Ratan Datta, learned counsel for the appellant has submitted before this court that in view of the changing circumstances, the appellants need to be pushed back to Bangladesh.

[4] Mr. R. Saha, Learned Addl. PP was directed to obtain instruction(s) with regard to the pushing back of the appellant and also other similarity placed persons who are Bangladeshi Nationals.

[5] Today, when the case is called out, at the very outset, learned Addl. PP for the state-respondents has placed on record a communication dated 09.06.2025 by the Under Secretary, Government of Tripura stating that the Government has no objection, if any order to push back convict persons to their own country in this case is passed.

[6] In view of the said communication dated 09.06.2025 and also in view of the submission made by the counsel for the parties, the appeal stands disposed of directing the respondents to take steps to push back the appellants to Bangladesh at the earliest as per procedure.

JUDGE

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