

**HIGH COURT OF TRIPURA
AGARTALA**

B.A. No.57 of 2025

Rahij Uddin Miah
S/O Rahim Miah,
R/O Tuimadhu, West Muslim Para
P.O.-North Gakulnagar,
P.S.-Teliamura, District-Khowai Tripura.

---- Applicant on behalf of the accused person in-custody

Sultan Miah
S/O Rahijuddin Miah
R/O Tuimadhu, West Muslim Para
P.O.-North Gakulnagar,
P.S.-Teliamura, District-Khowai Tripura.

---- Accused person in-custody

Versus

The State of Tripura

----Respondent(s)

For Applicant(s)	:	Mr. Anirban Basak, Adv.
For Respondent(s)	:	Mr. Rajib Saha, Addl. P.P.

HON'BLE MR. JUSTICE BISWAJIT PALIT
Order

02/08/2025

This bail application is filed for granting bail to the accused person namely Sultan Miah who is lodging in jail in connection with Teliamura PS case No.46 of 2025 for the offence punishable under Section 85 of BNS, 2023.

Heard Learned Counsel, Mr. Anirban Basak appearing on behalf of the accused-in-custody and also heard Learned Addl. P.P., Mr. Rajib Saha appearing on behalf of the State-respondent.

As ordered earlier, this Court has received the record from the Learned Trial Court and Learned Addl. P.P. has also produced the Case Diary.

Taking part in the hearing, Learned Counsel for the accused-in-custody submitted that the subject matter of dispute has been amicably settled and in this regard, the informant-cum-

complainant and the victim have sworn affidavit which are annexed with the bail application. Learned Counsel further submitted that today both the informant and the victim have appeared before the Court. Accordingly, they are orally examined and the victim stated that due to some misunderstanding, the case was filed and now their dispute has been amicably settled and she is not willing to proceed further with this case.

On the other hand, Learned Addl. P.P. for the State-respondent opposed the bail application and submitted that the initial statement of the victim and the statement of the victim before the Court are contradictory to each other and the medical report also supports the case of the prosecution. So, Learned Addl. P.P. urged for disallowing the bail application.

The prosecution case, in short, is that on 09.06.2025, the informant namely Narul Haque laid an FIR to O/C, Teliamura PS alleging inter alia that the marriage of his daughter took place with accused Sultan Miah on 05.09.2021 according to Mohammedan Rites and Customs. Thereafter, on 04.06.2025, the accused-in-custody and others severely assaulted her physically and caught holding her hair dragged her and used slang languages to her. It was further mentioned in the FIR that the principal accused developed some illicit relation with another women for which the dispute cropped up and she was subjected to cruelty by her husband and other family members. Thereafter, on 04.06.2025 after the incident, the victim i.e. his daughter tried to commit suicide by consuming poisonous medicine. Hence, he laid the FIR. On the basis of the FIR, this case was registered and in course of investigation, the accused was produced under arrest

before the Court of Learned CJM, Khowai District on 11.06.2025 and since then he is lodging in custody.

I have also perused the Case Diary.

Since the victim herself and the informant appeared before the Court and submitted that they are not interested to proceed further with the subject matter. So, considering all, it appears to this Court that further detention of the accused in custody would be futile at this stage. Accordingly, the bail application filed on behalf of the accused stands allowed.

The accused namely Sultan Miah may be enlarged on bail of his execution of bond of Rs.25,000/- with one surety of like amount to the satisfaction of Learned CJM, Khowai District, Khowai with the following terms and conditions:

- i) The accused shall appear before IO on every Monday and Thursday till completion of investigation.
- ii) The accused shall not make any attempt to tamper evidence on record of the prosecution.
- iii) The accused shall not involve in any other further dispute with the victim of this case.

In default, the accused shall remain in J/C as before.

For relaxation of conditions of bail, if any, the accused shall approach before Learned CJM, Khowai.

With this observation, this bail application stands disposed of.

Send down the record of Learned Trial Court along with a copy of this order.

The IO be asked to expedite the investigation and to submit report.

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

Also, a copy of this order be supplied to Learned Counsel for the accused-in-custody for information and compliance.

JUDGE

