

**HIGH COURT OF TRIPURA  
AGARTALA  
AB No.52 of 2025**

**1.Smt. Sikha Datta (Age 56 years),**  
Wife of Sri Radhakanta Datta  
**1.Smt. Simi Datta (Age 33 years),**  
Wife of Sri Manindra Datta,  
Both are resident of Bagbassa,  
P.O. Bagbassa, P.S. Bagbassa,  
District: North Tripura

---Accused Petitioners

-Vs-

**The State of Tripura**

---Respondent

---

|                   |   |                              |
|-------------------|---|------------------------------|
| For Applicant(s)  | : | Mr. Suman Bhattacharya, Adv. |
| For Respondent(s) | : | Mr. Rajib Saha, Addl. P.P.   |

---

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

**Order**

**04/07/2025**

This bail application under Section 482 of BNSS is filed for granting pre-arrest bail to the accused applicants namely Smt. Sikha Datta and Smt. Simi Datta.

Heard Learned Counsel Mr. S. Bhattacharya appearing on behalf of the accused-applicants and also heard Learned Addl. P.P. Mr. R. Saha appearing for the State-respondent.

We have received the record from the Learned Trial Court and also as ordered earlier CD is produced.

In course of hearing Learned Counsel appearing for the applicants submitted that the present applicants have been falsely implicated in this case. There is no allegation of Section 498A and Section 307 of IPC against the present applicants and as such they may be granted the protection of pre-arrest bail. It was further submitted that the accused-applicant No.1 Smt. Sikha Datta is

suffering from Cancer and as such considering the nature and gravity of the offence pre-arrest bail may be granted.

On the other hand, Learned Addl. P.P. referring the contents of the Case Diary submitted that the investigation of the case is in progress and there is direct allegation against the present accused persons showing their implication with the alleged crime and as such considering the materials on record at this stage there is no scope to consider their bail application and urged for dismissal of the same.

The prosecution case in short is that according to the informant her marriage was solemnized with Hritubrata Datta on 15.03.2023 as per Hindu marriage, rites and custom. After the marriage the informant resumed conjugal life with her husband peacefully. But after few months she was subjected to physical and mental torture for demand of dowry and on 02.07.2024 she was subjected to unbearable torture and the accused persons including the present applicants also tried to kill her. However she could somehow manage to save herself and took shelter at her parental house. It was further alleged in the FIR that after departure from her matrimonial home her husband when went her locality started informing the neighbouring persons that she was suffering from HIV. Immediately she was medically examined and after undergoing test it was found that she was suffering from HIV positive and according to her she was infected by her husband. Thereafter she filed the complaint to the Court of Learned Chief Judicial Magistrate, North Tripura, Dharmanagar which was sent to PS for investigation and accordingly this present case has been registered.

I have perused the record of the Learned Trial Court and the CD. On perusal of the CD it appears that by this time the I.O. of this case has collected/recorded the statements of some of the material witnesses and from the statement of those witnesses it appears that the present applicants was subjected to cruelty both mentally and physically for the purpose of demand of dowry. Further on perusal of the CD it also appears that at the instance of petitioner No.2 she was administered one injection at Karimganj Civil Hospital just after the marriage, the reasons best known to her. But the investigation of the case is in progress. At this stage it cannot be said that the applicant No.1 is innocent. It is also on record that the applicant No.1 Smt. Sikha Datta is suffering from Cancer. So considering the facts and circumstances of the case and also the fact that said applicant No.1 Smt. Sikha Datta is marginally aged and suffering from such a serious disease her pre-arrest bail application is allowed. But considering the materials on record the pre-arrest bail application in respect of applicant No.2 namely Smt. Simi Datta stands rejected at this stage. Smt. Sikha Datta may be enlarged on pre-arrest bail of her execution of bond of Rs.25,000/- with one surety of like amount in the event of her arrest to the satisfaction of O/C of the concerned PS with the condition that she shall not make any attempt to tamper any evidence on record and nor shall leave the jurisdiction of the O/C of the concerned PS without prior permission of the O/C of the concerned PS and she shall make available before the I.O. as and when called for. If the aforementioned conditions of the bail are violated in that case the I.O. shall be at liberty to approach for cancellation of bail to the concerned Court.

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

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

Also a copy of this order be furnished to Learned Counsel appearing for the applicants for information and compliance.

In view of the above, this bail application stands disposed of.

**JUDGE**



**MOUMITA  
DATTA**

*Moumita*

Digitally signed by  
MOUMITA DATTA  
Date: 2025.08.04  
05:03:40 +05'30'