

**HIGH COURT OF TRIPURA
AGARTALA
A.B. No.55 of 2025**

Sri Rajib Majumder,
S/O – Sri Dinesh Majumder,
Aged about 40 years,
Resident of Baishnab Tilla,
P.O. + P.S. – Amtali, District- West Tripura

.... Applicant

Versus

The State of Tripura

.....Respondent

For Applicant(s)	:	Mr. Sankar Lodh, Adv. Mr. Subham Majumder, Adv.
For Respondent(s)	:	Mr. Raju Datta, P.P.

HON'BLE MR. JUSTICE BISWAJIT PALIT

Order

14/08/2025

This pre-arrest bail application under Section 482 of BNSS, 2023 is filed for granting bail to the accused-applicant Sri Rajib Majumder in connection with Amtali Police Station Case No.65 of 2025 (2025 AMT 65) under Section 118/76/303/3(5) of BNS of 2023.

Heard Learned Counsel, Mr. S. Lodh appearing on behalf of the applicant and also heard Learned P.P., Mr. R. Datta appearing on behalf of the State-respondent.

Today Learned P.P. has produced the CD.

In course of hearing, Learned Counsel, Mr. S. Lodh appearing for the accused-applicant drawn the attention of the Court referring the contents of the FIR and also the forwarding report of I/O submitted to the Court on 10.07.2025 at the time of production of the accused Bishal Dey wherein it was clearly mentioned by the I/O that during investigation no evidence of snatching of gold ornaments and outraging of modesty revealed. So, Learned Counsel

submitted that since that accused Bishal Dey has been granted bail by the Learned Trial Court, so similar principle may be applied in respect of the present applicant also. Moreso, according to Learned Counsel upto this stage the I/O could not collect any sufficient materials showing implication of the present applicant to the offence as alleged.

On the other hand, Learned P.P. strongly opposed the bail application and submitted that there is material against the accused-applicant showing his implication with the alleged offence.

The prosecution case in short is that, on 30.06.2025 one Sushanta Das Choudhury laid an FIR to O/C, Amtali Police Station alleging *inter alia* that on 28.06.2025 in the night at about 10.30 pm he along with his wife were proceeding towards Agartala Bankumari from Udaipur via Amtali Bypass. After crossing Amtali Police Station at a considerable distance of 100 meters, the vehicle being ran by him detected some technical trouble and accordingly he parked the vehicle by the side of the road and started checking the same. That time some unknown miscreants came to the PO by their car bearing No.TR-06-C-0554 and a two wheeler vehicle bearing No.TR-01-AX-9377 and started dragging his wife, Puja Das into the car of the miscreants from their car by touching various parts of her body and when both of the informant and his wife raised hue and cry for help to save his wife from the clutches of the miscreants that time the miscreants started causing physical assault upon them with an intention to kill them by sharp cutting weapons and tried to drag her inside their vehicle and in that process they snatched away 3 golden finger rings, 1 golden chain and 1 golden ear ring from his wife and forcefully taken away his mobile set bearing No.9862171229 and Rs.18,000/- and some important documents lying on the dashboard

of his car and through the street light the informant and his wife could identify the face of the miscreants and they informed the matter to the police and the police came and immediately they were shifted to Hapania Hospital in half naked and bleeding condition. Thereafter at the dawn at about 4.00 am they came to police station and laid the FIR. This is the sum and substance of the FIR.

In course of investigation, the police caused arrest one of the accused and forwarded him before the Court. In the forwarding report dated 10.07.2025 it was clearly mentioned by the I/O that during investigation he could not collect any evidence regarding outraging of modesty and snatching of gold ornaments, cash money and mobile etc. The investigation of the case is in progress. By this time, the I/O has recorded the statement of the informant and his wife and also arranged recording of judicial statement of the wife of the informant.

Admittedly, the informant and his wife during their statement to the I/O reiterated the same contention as the informant made in the FIR. But surprisingly to unearth the truth the I/O could not collect any other materials showing implication of the present applicant and other accused persons to substantiate the prosecution allegation made against the present applicant and others. The steps so far has been taken by I/O upto this stage is not sufficient to justify refusal of the pre-arrest bail application filed by the present applicant. But considering the materials on record, it is established that on the alleged day some scuffling took place amongst the rival parties and the present applicant and others have assaulted the informant and his wife. The latest injury reports of the alleged victims are also not available to the CD.

However, at the time of lodging of FIR some prescriptions were annexed by the informant to substantiate his case. On the basis of those prescriptions, at this stage this Court does not find justification to form an opinion to refuse pre-arrest bail application of the present accused-applicant. So considering all, the pre-arrest bail application filed by the accused applicant is hereby allowed. The accused applicant namely, Rajib Majumder may be released on bail in the event of his arrest of his execution of bond of Rs.25,000/- (Rupees twenty five thousand) with one surety of like amount to the satisfaction of O/C of concerned PS on the following terms and conditions :-

(i) The accused-applicant shall make himself available before I/O as and when called for, for the sake of investigation.

(ii) The accused applicant shall not leave the jurisdiction of O/C of concerned PS till completion of investigation.

(iii) The accused applicant shall not make any attempt to tamper evidence on record of prosecution. In the event of violation of the terms and conditions of the bail, the I/O shall be at liberty to approach to the concerned Court by filing appropriate application in due course of time.

This pre-arrest bail application accordingly stands disposed of and allowed.

Return back the CD to the I/O through Learned P.P. along with a copy of this order. Also a copy of this order be supplied to Learned Counsel appearing for the applicant.

JUDGE

Amrita

AMRITA DEB

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