

**HIGH COURT OF TRIPURA
AGARTALA**

A.B. No.60 of 2025

Smt. Sanjana Wahengbam
D/O Sri Wahengban Nabin Singh,
Marketing Manager in Circle Office,
Punjab National Bank, Agartala,
Permanent address Wahengbam, Leikai,
P.S.-Lamphel, Manipur, Imphal West-795001,
Present Address Banamalipur, Ganaraj Chowmuhan,
Agartala, West Tripura.

----- Accused-Applicant

Versus

The State of Tripura

-----Respondent(s)

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

HON'BLE MR. JUSTICE BISWAJIT PALIT
Order

21/08/2025

Heard Learned Counsel, Mr. Prabir Saha appearing on behalf of the accused-applicant and also heard, Learned Addl. P.P. Mr. Rajib Saha appearing on behalf of the State-respondent.

This pre-arrest bail application under Section 482 of BNSS, 2023 is filed for granting pre-arrest bail to the accused person namely Sanjana Wahengbam in connection with West Agartala Women PS case No.39 of 2025 for the offence punishable under Section 79/76/75(1)(i)/49/3(5) of BNS Act, 2023.

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

At the time of hearing, Learned Counsel appearing for the applicant-accused Mr. Prabir Saha drawn the attention of the Court that the present applicant-accused is a Marketing Manager of PNB and regarding parking of car, some hot altercation took

place in between the present applicant-accused and the alleged victim of this case and for that both the rival parties have filed allegation and counter allegation against each other. It was further submitted that on the allegation of the alleged victim Pranati Bhattacharjee, this present case has been registered and also on the allegation of the present accused-applicant, West Agartala Women PS case No.40 of 2025 under Section 74/115(2)/3(5) of BNS Act, 2023 has been registered and both the cases are pending for investigation. Learned Counsel Mr. Saha further submitted that the applicant-accused has been falsely implicated in this case and another co-accused has already been granted bail by the Learned Trial Court and if at this stage considering the materials on record concession of pre-arrest bail is not granted in favour of the applicant-accused in that case she may face bad consequence in her service. It was also submitted that although the case has been registered under different sections of BNS but none of the sections are applicable against the applicant-accused. However, for the sake of justice Learned Counsel urged for allowing the pre-arrest bail application filed by the applicant-accused.

On the other hand, Learned Addl. P.P. Mr. Rajib Saha appearing on behalf of the State-respondent first of all submitted the report as sought for by this Court in connection with the FIR laid by the present applicant-accused and submitted that in this case notice was issued to the applicant-accused and she appeared to the PS and made her declaration. Therefore, in such a situation, granting of pre-arrest bail would be a futile exercise. So, Learned

Addl. P.P. urged for disallowing this application with a further direction to the applicant-accused to surrender before the Learned Trial Court below for seeking regular bail. It was further submitted that by this time the IO has recorded the statement of some of the witnesses of the prosecution who are conversant about the facts and circumstances of the case and considering the materials on record there is no scope to allow the prayer filed by the applicant-accused and accordingly, Learned Addl. P.P. urged for dismissal of this bail application. Considered.

The prosecution story, in short is that on 30.07.2025 one Pranati Bhattacharjee laid one FIR to O/C, West Agartala Women PS alleging inter alia that on 29.07.2025 at about 7:30 pm one lady staff(present applicant) of PNB at Akhaura Road Circle Office parked her vehicle in front of her house. As she protested about parking in front of her gate so the lady abused her with filthy languages and when to rescue that lady official, one male staff of the Bank came forward and pushed her and outraged her modesty by pulling her wearing apparel and touching her private parts and according to the informant, her daughter witnessed the incident. This is the sum and substance of the FIR laid by the informant.

I have seen the FIR and perused the Case Diary meticulously including the injury report of the victim. It is on record that on the alleged day due to parking of vehicle some hot altercation took place between the applicant-accused and the alleged informant-cum-victim of this case and that time, both of them exchanged hot languages against each other. That time,

another bank official came forward to rescue her and at the same time, the daughter of the informant-cum-victim also appeared to the PO. In course of hot altercation, some untoward situation took place like dashing against each other and resulting which this present prosecution and also another connected case laid by the present applicant-accused were registered to the concerned PS.

I have also seen the report submitted by Learned Addl. P.P. as sought for by this Court in connection with the alleged FIR laid by the present applicant-accused and on the basis of which, West Agartala Women PS case No.40 of 2025 under Section 74/115(2)/3(5) of BNS Act, 2023 is registered. In the FIR of the applicant, the IO till today could not collect sufficient materials against the victim of this present case. However, the investigation of the case is still pending and since both the cases are counter-case to each other, so, regarding the fate of the cases at this stage there is no scope to give any specific observations.

However, considering the materials on record and the nature of evidence so far collected by IO upto this stage of investigation against the applicant-accused, I do not find any scope to disallow her pre-arrest bail application nor I find any reason for custodial interrogation of the present applicant-accused.

So, considering all, the pre-arrest bail application filed by the present applicant-accused stands allowed.

In the event of arrest, the applicant-accused shall execute a bond of Rs.25,000/- with one surety of like amount to

the satisfaction of O/C of the concerned PS with the following terms and conditions:

- i) That the accused shall appear before IO as and when called for.
- ii) That the accused shall not make any attempt to tamper evidence on record of the prosecution.

With this observation, this present anticipatory bail application stands disposed of.

A copy of this order be supplied to Learned Counsel for the accused-applicant for information and compliance.

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

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

JUDGE