

**HIGH COURT OF TRIPURA
AGARTALA
BA No.81 of 2025**

Sadikul SK,
S/O- Namuddin SK,
Resident of –Sekendra, Nabakanta Para,
P.O.- Mithipur, P.S.- Murshidabad,
District-West Bengal, Pin-742213.

---Applicant

1. Md. Giash Uddin,
S/O-Late Jamal Uddin,
2. Main Uddin,
S/O- Late Fajlul Haque,
(Both are residents of Buiyagram, P.O.- Aburhut, PS- Mirsarai,
District-Chattagram, Bangladesh)

---Accused Persons

The accused person being lodged in judicial custody, the present petition is preferred and presented by her relative, i.e., Sadikul SK.

-Vs-

The State of Tripura

---Respondent

For Applicant(s)	:	Mr. Indrajit Bhowmik, Adv.
For Respondent(s)	:	Mr. Raju Datta, P.P.

HON'BLE MR. JUSTICE BISWAJIT PALIT

Order

19/09/2025

This bail application under Section 483(1)(b) of BNSS, 2023 is filed for modification of the order of bail dated 13.08.2025 passed by Learned Addl. Sessions Judge, Court No.2, Agartala, West Tripura in connection with Case No.Criminal Misc 160 of 2025 which arose out of Case No.2025 GRP 006 pending in the Court of Ld. Judicial Magistrate 1st Class, Court No.6, Agartala, West Tripura and after charge-sheet the same is numbered as PRC (WP) 299 of 2025.

Heard Learned Counsel, Mr. I. Bhowmik appearing for the applicant and also heard Learned P.P., Mr. Raju Datta appearing on behalf of the State-respondent.

Taking part in the hearing, Learned Counsel appearing for the applicant submitted that in the aforementioned case charge-sheet is submitted against the accused persons-in-custody under Section 61(2)/249(B)/143(3) of BNS, 2023 read with Section 14(A)/14(C) of the Foreigner Act, 1946 and also under Section 03 of the IPP Act (Entry into India Amendment-2000). Although in this case bail is granted to the accused persons but the Court of Learned Addl. Sessions Judge, Court No.2, Agartala, West Tripura by the said order dated 13.08.2025 has ordered for execution of bail bond of Rs.1,00,000/- only each with one surety who must be Govt. Employee within the jurisdiction of the Ld. Court below with further condition not to leave the jurisdiction of the Court without prior permission of the Court.

It is further submitted that although, the bail is granted but since the accused persons-in-custody are Bangladeshi national. So, it has become difficult on their part to find out any Government surety to stand as bailer on their behalf which tantamounts to rejection of bail and he urged for modification of the conditions of bail for the sake of justice.

On the other hand, Learned P.P. appearing for the State-respondent submitted that Learned Court below rightly passed the order.

It was also submitted by Learned Counsel for the accused persons-in-custody that since last eight months they are lodging in jail.

Heard both the sides.

Considered.

I have perused the order dated 13.08.2025 passed by Learned Addl. Sessions Judge, Court No.2, West Tripura, Agartala. It is the admitted position that the accused persons-in-custody are Bangladeshi national and it is also the admitted position that although the bail is granted but no Government surety would come forward to stand as surety on their behalf. So, considering the nature and gravity of the offence and also the fact that the charge-sheet is submitted, so the order dated 13.08.2025 is modified to the extent that the accused persons-in-custody shall execute bail bond of Rs.50,000/- each with two sureties of like amount who must be local one with further condition that in the event of release on bail they shall file their hazira once in a week before the Learned Trial Court till completion of trial of this case, in default the accused persons shall remain in JC as before and during vacation they shall ensure their hazira to CTI, Sadar.

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

Send a copy of this order to the Court of Learned Additional Sessions Judge, Court No.2, West Tripura, Agartala for information and compliance.

A copy of this order also be furnished to Learned Counsel for the accused persons-in-custody for information and compliance

and also a copy of this order be communicated to Learned P.P. for information.

JUDGE



Amrita

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