

**HIGH COURT OF TRIPURA
AGARTALA**

AB No. 81 of 2025

1. Smt. Nandita Chanda,
W/o Sukanta Roy Chowdhury,
Bhangar Par, VTC: Khilpara,
District: South Tripura, State: Tripura,
Pin: 799116
2. Nibedita Chanda,
W/o: Sri Adhar Kumar Chanda,
Bhangar Par, ICDS Centre,
Khilpara, District: South Tripura,
PIN: 799116

----- Accused Applicant(s)

Versus

The State of Tripura

-----Respondent(s)

For Accused Applicant(s) : Mr. Debalay Bhattacharya, Sr. Adv.
Mr. Agniva Chakrabarti, Adv.

For Respondent(s) : Mr. Raju Datta, PP.

HON'BLE MR. JUSTICE BISWAJIT PALIT

Order

20/11/2025

This pre-arrest bail application under Section 482 of BNSS, 2023 is filed for granting pre-arrest bail to the accused persons, namely, Smt. Nandita Chanda and Nibedita Chanda in connection with R. K. Pur Women PS Case No.2025 WRP 031 for the offence punishable under Sections 127(2)/ 117(2)/ 76/ 351(2)/ 3(5) of BNS Act, 2023.

Heard Learned Sr. Counsel, Mr. Debalay Bhattacharya assisted by learned counsel, Mr. Agniva Chakrabarty appearing on behalf of the accused-applicants as well as Learned P.P. Mr. Raju Datta appearing on behalf of the State-respondent.

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

At the time of hearing, Learned Senior Counsel Mr. D Bhattacharya appearing on behalf of the applicant-accused has first of all drawn the attention of the Court referring to the contents of the FIR that the present two accused-applicants are not FIR named but the police has been constantly pursuing them for their arrest and they are apprehending that they may be arrested in connection with this case at any time by the police authority. It was further submitted that the accused-applicant No.1 is a government servant (Anganwadi Worker) and accused-applicant No.2 is an old aged lady of 65 years, suffering from different health issues. So considering the nature of the allegation Learned Senior Counsel asked for granting pre arrest bail to them and it was further submitted that they will co-operate with the investigation if they are given the concession of the pre arrest bail to unearth the truth.

On the other hand, Learned PP strongly opposed the bail application submitted by the accused-applicants and referred to the contents against the accused-applicants for their direct involvement with the alleged offence. So Learned PP asked for dismissal of the bail application.

I have heard both the sides and perused the record.

The prosecution case in short is that on 25.08.2025 one Swapan Das laid an FIR to O/C RK Pur Women PS against Manju

Rani Das, Putul Rani Das and Hameda Banu with alleging inter alia that on 16.08.2025 at about 10.30 am the aforesaid accused persons along with five-six persons jointly entered into her house and dragged her house outside and tied her with an electrical pole and started assaulting her by fists and blows for which she sustained bleeding injuries and they also intended to cut her hair and she raised alarm so the neighboring persons appeared therein and the said accused persons fled away.

It was further mentioned in the FIR that the said accused persons threatened the victim that if any police complaint is lodged in that case they would set their house by gutting fire and out of fear some delay has been caused in lodging the FIR.

I have perused the statement of witnesses so far collected by the IO up to the stage of the investigation. It appears from the statement of the alleged victim, her husband and some other person that on the alleged day the present accused applicants, although their names were not mentioned in the FIR, committed the alleged offence. But from the judicial statement of the victim recorded by the court it appears that the victim in course of her statement before the Learned Magistrate did not tell anything about the present accused applicants save and accept the name of one person.

Thus it appears that there is a discrepancy of names in the FIR and also in the statement of witnesses recorded by IO along with statement of the victim recorded by the Learned Magistrate.

There is no injury report of the victim in the record. This present case has been registered under Sections 127(2)/ 117(2)/ 76/ 351(2)/ 3(5) of BNS Act, 2023. The investigation is still in the focus. It is also on record that in course of investigation police caused arrest of accused applicants namely Manju Rani Das, Putul Rani Das and Hamedha Banu on 25.08.2025 and after certain period they were enlarged on bail by the Learned Trial Court.

These present two accused applicants approached the court of sessions but their bail petition was rejected.

However, considering the materials on record and the nature of investigation, at this stage, I am inclined to consider the pre-arrest bail application filed by the accused applicants.

The present accused applicants may be released on bail in the event of their arrest on execution of bond of Rs.25,000/- with one surety of like amount to the satisfaction of the O/C of the concerned PS with the following terms and conditions:

i. That the accused applicants shall make themselves available before the IO as and when called for, for the sake of investigation.

ii. The accused applicants shall not leave the jurisdiction of the court without prior permission of the OC of the concerned case.

iii. That the accused applicants shall not make any attempt to tamper evidence on record of the prosecution during the period of investigation and trial also.

However, it is made clear that if they violate any of the conditions of the bail, in that case the prosecution shall be at liberty to approach for cancellation of their bail to the concerned Learned Trial Court.

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

Supply a copy of this order to the Learned counsel for the accused applicants for information and compliance.

Return back the CD to IO through Learned PP along with this order.

With these observations the present application stands disposed of.

JUDGE



SATABDI DUTTA Digitally signed by SATABDI DUTTA
Date: 2025.11.20 15:51:21 +05'30'

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