

**HIGH COURT OF TRIPURA
AGARTALA**

AB No. 84 of 2025

Manir Hossain alias Mamin Hossain, S/o Abul Mia @ Abul Hashem, R/o NC Nagar Near Keraliamura Mouque P.O and P.S: Sonamura, Dist: Sepahijala, Tripura.

....Applicant(s)

Versus

The State of Tripura represented by the PP, High Court of Tripura.

....Respondent(s)

For Applicant(s) : Mr. Subrata Sarkar, Sr. Advocate.
Mr. D.Roy, Advocate.

For Respondent(s) : Mr. R.Saha, Addl.PP.

Date of hearing & : **16.12.2025**
Delivery of Judgment /
Order

Whether fit for reporting:

Yes	No
	✓

=B=E=F=O=R=E=

HON'BLE MR. JUSTICE S. DATTA PURKAYASTHA

Judgment and Order(Oral)

Heard Ld. Counsel of both sides.

[2] The application under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 ('BNSS'- for short) has been filed by the present accused Manir Hossain alias Mamin Hossain praying for pre arrest bail in connection with West Agartala Women P.S. Case No. 2025 WAW 37 registered under Sections 137/ 281/125/127(3)/65/75(1)(i)/143/3(5) of Bharatiya Nyaya Sanhita, 2023 ('BNS'-for short) and Section 9 of the Prohibition of Child Marriage Act, 2006 and Section 4 of POCSO Act, 2012.

[3] The allegations in the FIR lodged by the father (informant) of the victim in brief are that on 15.07.2025 at about 1.30 AM he could notice that his minor daughter was missing and after verifying the CCTV footage, he came to know that his daughter was taken away by the present accused Manir Hossain and his friend Palash Sarkar in a white color 'Bolero' from the front of their house. Thereafter, he met with the family members of the accused persons, but, they denied to reveal anything. On 16.07.2025, he learnt from the social media platform that said vehicle by which his daughter was kidnapped had met an accident at Bishalgarh bypass and his daughter was also injured there.

[4] On 17.07.2025, he also noticed in such social media platform that the marriage of his minor daughter was being celebrated along with the accused Manir Hosssain. He also further came to know that she was raped by him and even she was taken to Bangladesh without his permission.

[5] During hearing, Ld. Sr. Counsel, Mr. Subrata Sarkar assisted by Mr. D. Roy, Advocate for the applicant, submits that the accused was falsely implicated in this case, and though, out love affairs both the victim and the accused had attempted to flee away, but meanwhile, they met with an accident and thereafter, the prime accused had left the victim to her aunt's house and therefore he had no criminal 'mens rea' for any sort of kidnapping and no other offence was also committed by him.

[6] Ld. Sr. Counsel on that ground has sought for pre arrest bail of the accused submitting that the accused has been falsely implicated in this case.

[7] Ld. Addl. PP, Mr. R. Saha has brought to the notice of the Court of the statements of both the victim and her father (informant) and also the statement recorded under Section 183 of the BNSS by the Magistrate and submits that both the victim and the informant did not support the said allegations borne in the FIR and according to them due to misunderstanding, the FIR was lodged.

[8] In view of above materials in the CD, Ld. Addl. PP does not oppose the prayer of pre-arrest bail of the present accused.

[9] Considered the submissions and also perused the Case Diary.

[10] From the statements of the victim recorded both by the Investigating Officer and the Ld. Magistrate, no such allegations, as borne in the FIR, is found to have been supported by her. The informant has also deviated in his statement before the I.O. from what he had mentioned in the FIR.

[11] Considering all these aspects, the bail prayer is allowed.

[12] It is ordered that in the event of arrest in connection with case No. West Agartala Women P.S. Case No. 2025 WAW 37, the accused applicant Manir Hossain shall be released on bail on furnishing a bond of Rs. 30,000/- with one surety of like amount to the satisfaction of the IO on conditions that:

i) as and when required, he will appear before the IO to face interrogation;

ii) he will not try to influence or terrorize any of the witnesses of the case so as to dissuade him or them from divulging the truth before the Investigating Officer or before the Court;

iii) he will regularly appear before the Court to face trial;

[13] CD be returned to Ld. Addl. PP with copy of this order.

The application is accordingly disposed of.

JUDGE