

**HIGH COURT OF TRIPURA
AGARTALA**

**A.B. No.88 of 2025
B.A. No. 118 of 2025**

In A.B. No.88 of 2025

1. Sri Arun Tripura

S/O-Late Jatinwara Tripura, R/O Chalita Manu
Bankul, PS- Manu Bazar, District- South Tripura

2. Sri Dipak Dey

S/O Late Parimal Kanti Dey, resident of
Rupaichari, P.S. Sabroom, District-South Tripura

..... Petitioner(s)

V e r s u s

The State of Tripura

Represented by the PP, High Court of Tripura, Agartala

..... Respondent(s)

In B.A. No. 118 of 2025

Smt. Manika Das

W/O- Sri Pranab Das @Litan, resident of S.D
Mission, AMC, Ward No.38, P.O-S.D Mission, P.S.
A.D Nagar, District- West Tripura, PIN-799003

**[Petitioner on behalf of the
in-custody accused persons]**

1. Sri Pranab Das @ Litan

S/O- Lt. Dipak Das, resident of S.D Mission, AMC,
Ward No.38, P.O-S.D Mission, 799003, P.S. A.D
Nagar, District- West Tripura

2. Sri Uttam Debnath

S/O- Sri Manindra Debnath, resident of Gajaria,
Camper Bazar, P.O-S.D Mission, 799003, P.S. A.D
Nagar, District- West Tripura

3. Sri Sanjit Hrishi Das

S/O- Lt. Narendra Hrishi Das, resident of Dukli,
Hrishi Das Para, P.O-S.D Mission, 799003, P.S.
A.D Nagar, District- West Tripura

4. **Sri Biswajit Das**

S/O- Sri Sudip Chandra Das, resident of village
West Dukli, P.O-S.D Mission, 799003, P.S. A.D
Nagar, District- West Tripura

..... Respondent(s)

For Petitioner(s)	:	Mr. H. Debnath, Sr. Adv. Mr. S. Sarkar, Sr. Adv.
For Respondent(s)	:	Mr. R. Saha, Addl. PP

HON'BLE MR. JUSTICE S.D PURKAYASTHA

Order

08.12.2025

Heard Mr. H. Debnath, learned senior counsel and Mr. S. Sarkar, learned senior counsel appearing for the petitioners-accused persons in both the bail applications and also heard Mr. R. Saha, learned Addl. PP appearing for the State.

2. Both the bail applications are heard together as the same are originated from a single police case.

3. On 10.11.2025, an FIR was lodged by one Debananda Tripura, Sub-Inspector of Police of A.D. Nagar Police Station, alleging that the Sub-Divisional Police Officer, Sadar had earlier granted permission to the CITU, Tripura State Committee for organizing a meeting at Orient Chowmuhani, Agartala on that day in between 1100 hrs. to 1300 hrs, but no permission was granted for organizing any rally, than in disregard to the conditions of the said permission, the petitioners of A.B. No.88 of 2025, namely, Sri Arun Tripura, Secretary of Sabroom (CPIM) Divisional Committee and Sri Dipak Dey, Secretary (CITU), Sabroom instead of organizing a meeting at the designated venue, led a large unauthorized mass rally which commenced from A.D. Nagar and proceeded to the flyover towards Agartala city and as a result, there was severe chaotic traffic jam across the city and the entire city became standstill for several hours which also caused extreme and severe inconveniences to the general public, including obstruction to the plying of emergency service vehicles that the informant with other police officers attempted to intercept and halt the illegal procession at the foot of the flyover near A.D. Nagar Police Line to prevent further chaos, that the participants, under the direct instigation and leadership of said Sri Arun Tripura and Sri Dipak Dey, became aggressive and violent and they unlawfully assembled and showed menacing gestures and threatened to

inflict criminal force upon the police personnel and they also shouted slogans with further threatened to the police with dire consequences.

4. With the aforesaid allegations, the said FIR was lodged and it was registered under Sections 132/223/351(3)/292/3(5) of the BNS, 2023, 82 of the T.P. Act of 2007 and 201 of the M.V. Act, 1988.

5. The police arrested 2[two] accused persons of B.A. No.118 of 2025, namely, Sri Pranab Das and Sri Uttam Debnath and produced them before the learned Magistrate on 11.11.2025. The other two accused persons namely, Sri Sanjit Hrish Das and Sri Biswajit Das were also arrested and produced before the Magistrate on 12.11.2025 and since then they are in custody. Said Arun Tripura and Dipak Dey have prayed for pre-arrest bail in connection with the said police case.

6. Learned senior counsel appearing for the petitioners-accused persons of both the bail applications submit that all the provisions under which the FIR was registered, except Section 132 of the BNS, are bailable and so far Section 132 of BNS is concerned, the maximum prescribed punishment for the said offence is imprisonment for a period of 2 [two] years. Regarding the petitioners of A.B. No.88 of 2025, it is also submitted that both Sri Arun Tripura and Dipak Dey, who have sought for pre-arrest bail, are the reputed persons of the State and holding important portfolios in the CPIM political party and there is no chance of their abscondance, if they are released on bail, and they will cooperate with the investigation.

7. Regarding the accused persons of B.A. No.118 of 2025, it is submitted that all 4[four] accused persons, namely- Sri Pranab Das @ Litan, Sri Uttam Debnath, Sri Sanjit Hrish Das and Sri Biswajit Das are in custody for about one month and there is no further necessity for keeping them in incarceration for the sake of investigation. Therefore, both the bail applications may be allowed.

8. Mr. R. Saha, learned Addl. P.P. submits that during the investigation, it was revealed that one person, at the time of alleged incident, was proceeding towards the said flyover by a motorcycle but due to proceeding of said unlawful rally, the steering of his motorcycle slightly touched a person of that rally and concerning that issue, the said person shoved him and ultimately, he saved himself by catching a nearby electrical pole and fell down near the protective wall of that flyover. If he had fallen beneath that flyover, he certainly would have died.

9. According to learned Addl. P.P., based on the said materials revealed during the investigation, the investigating officer made a prayer to the learned Magistrate on 21.11.2025 for adding Section 109 of the BNS which was also allowed.

10. In view of the above, learned Addl. P.P. seriously opposes the bail prayers on the ground that Section 109 of the BNS is a serious offence, and moreover, the investigation is at the preliminary stage and further that, if they released on bail, the petitioners-accused persons may tamper the evidence and influence the witnesses.

11. Considered the submissions of both sides.

12. As already indicated above, except Sections 132 and 109 of the BNS, all other provisions are bailable. The prescribed punishment for Section 132 of the BNS as already indicated above is up to 2 [two] years of imprisonment. So far Section 109 of the BNS is concerned, in the case diary, there is no direct allegation against the present petitioners-accused persons for committing any such offence. There is also no allegation that the police personnel were physically assaulted by any of the above said petitioners-accused persons.

13. On perusal of the case diary, it appears that the investigating officer has already examined many witnesses in connection with this case and the investigation has been completed to a significant extent. There is also no prayer for any sort of custodial interrogation of the petitioners of AB No.88 of 2025 for the purpose of investigation.

14. Considering all these aspects and also the materials as available in the case diary, both the bail prayers are allowed.

15. In respect of A.B. No.88 of 2025, it is hereby ordered that in the event of arrest of the petitioners, namely, *Sri Arun Tripura* and *Sri Dipak Dey*, they will be released on bail on furnishing a bond of Rs.50,000/- [Rupees Fifty thousand] with one surety each of the like amount to the satisfaction of the arresting authority, on condition that they will not try to interfere with the investigation of the case and will appear before the investigating officer, whenever so required, and will cooperate with the investigation. They will also not try to influence any of the witness of the case in any form so as to dissuade him/them from divulging the truth before the investigating officer or the Court. They will appear before the Court regularly to face trial.

16. In respect of B.A. No.118 of 2025, it is ordered that the accused persons namely, *Sri Pranab Das @ Litan, Sri Uttam Debnath, Sri Sanjit Hrishi Das* and *Sri Biswajit Das* shall be released on bail on furnishing a bond of Rs.50,000/- [Rupees Fifty thousand] with one surety each of the like amount to the satisfaction of the Elaka Magistrate with conditions that they will not try to influence any witness of the case in any form and will attend the Court regularly to face the trial.

17. With such observations and directions, both the bail applications are allowed and disposed of.

Communicate a copy of this order to the Elaka Magistrate immediately.

Reconsign the case diary to learned Addl. P.P. with a copy of this order.

SUJAY GHOSH

Digitally signed by SUJAY GHOSH
Date: 2025.12.08 17:56:59 +05'30'

Sujay



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JUDGE