

**HIGH COURT OF TRIPURA
AGARTALA**

BA No.23 of 2026

Shri Mahendra Kumar,

S/o Late Prabhati Lal Yadav, R/o Kheswa Ki Dhani, P.O. Gothara, Nawalgarh, P.S. Gothara, District – Junjhuna, State- Rajasthan, Pin – 333304.

The accused persons being lodged in judicial custody, the present petition is preferred and presented by the younger brother of one of the accused Sumer Singh Yadav.

.....Applicant(s);

1. Shri Sumer Singh Yadav,

S/o Late Prabhati Lal Yadav, R/o Khesawa Ki Dhani Nawalgarh, P.O. Gothara, P.S. Gothara, District – Junjhuna, State- Rajasthan, Pin – 333304.

2. Shri Tuli Ram Yadav,

S/o Shri Madhu Ram Yadav, R/o Sikar, P.O. Khor, P.S. Sikar, District- Sikar, Pin-332023.

.....Custody Accused Person(s);

V E R S U S

The State of Tripura

.....Respondent(s);

For Applicant(s) : Mr. Subhradip Sharma, Advocate.

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

HON'BLE MR. JUSTICE S. DATTA PURKAYASTHA

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04/02/2026

Heard learned counsel of both sides.

[2] As per the allegation made in the FIR lodged by one Sub-Inspector of Tripura Police, Sri Debabrata Datta, on 11.09.2025 at about 1040 hours, on the basis of secret information, he along with other police personnel intercepted a Honda City Car bearing registration no. DL 13 CC 0107 and recovered total 40(Forty) nos. of packets of suspected ganja of total weight of 40 kg from the said vehicle and also detained both the applicants who were found travelling by said vehicle.

[3] According to the learned counsel of both sides charge-sheet is already submitted against both the accused persons under Sections 20(b)(ii)(c), 25 and 29 of the NDPS Act, 1985 and Sections 192(A) and

182(B) of M.V. Act. The sole ground for seeking bail before this Court for both the applicants as submitted by the learned counsel, Mr. Subhradip Sharma, is that the ground of arrest was not communicated to both the accused persons rendering the arrest illegal.

[4] Learned counsel, Mr. Subhradip Sharma, during hearing refers to two arrest memos relating to the accused persons wherein the relevant columns of ground of arrest were kept NIL. Learned counsel, Mr. Sharma, also submits that for non-compliance of Article 22(1), the arrest has been rendered illegal and, therefore, the bail may be granted.

[5] Learned Public Prosecutor, Mr. Raju Datta has produced the case diary and copy of two arrest memos contained therein, which shows that both the applicants were informed about their ground of arrest that total 40 kg of ganja were recovered from them on 11.09.2025 which were found in 40 nos. of packets wrapped in brown coloured cellotape. Signatures of both the accused persons were also taken thereon in acknowledgement of receipt of such arrest memo.

[6] In view of the above, the plea as raised by the applicants found to be not sustainable and, accordingly, the bail prayer stands rejected.

[7] Case diary be returned to the learned Public Prosecutor with a copy of this order.

[8] Communicate a copy of this order to the learned Special Judge, Kamalpur, Dhalai Judicial District.

JUDGE