

**HIGH COURT OF TRIPURA
A G A R T A L A**

A.B. No.20 of 2026

Sri Dilip Majumder,

S/o Late Manmohan Majumder, resident of Santir Bazar, Madhya Para, P.S.
Santir Bazar, District South Tripura

..... Petitioner(s)

– V e r s u s –

The State of Tripura,

Represented by the Secretary, Home Department, Government of Tripura, New
Capital Complex, Agartala, West Tripura

.....Respondent(s)

For the Petitioner(s) : Mr. S. Lodh, Advocate.

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

HON'BLE MR. JUSTICE S. DATTA PURKAYASTHA

ORDER

02/04/2026

Heard learned counsel of both sides.

[2] The FIR was lodged by one Subham Majumder against the present petitioner namely, Dilip Majumder alleging that on 24.01.2026 at around 1.00 pm, the accused entered into their house illegally and thereafter, with a shovel assaulted her mother with an intention to kill her and due to such assault, his mother has suffered fracture injury on her right hand and there has been also cut injury on her left hand palm. On arrivals of the local people, he fled away.

[3] The case has been registered under Section 109(1)/118(2)/329(4)/351(2)/351(3) of BNS, 2023.

[4] Mr. S. Lodh, learned counsel for the petitioner referring to a report of the Tehsildar submitted before the SDM, Santirbazar on 06.10.2023 submits that as per the said report, the present petitioner is residing in khas land by constructing his hut and the father of the informant had constructed one mud wall hut within the possessed land of the present accused and concerning that, a dispute is going on. Earlier, a case was also filed by the father of the present informant

against the present accused and others viz. PRC (SP) 20 of 2024 which was disposed of by learned JM First Class, South Tripura, Belonia by acquitting the present petitioner. Mr. Lodh, learned counsel submits that the informant and his family members are in the regular attempt to grab the land of the present petitioner and therefore, a long standing enmity is persisting between the parties and as an outburst of the same, the present FIR has been lodged against the petitioner by falsely implicating him. According to Mr. Lodh, learned counsel, therefore, the case ought to have been registered under Section 117(2) of BNS and not under Section 118(2) of BNS which is a bailable offence. Mr. Lodh, learned counsel, therefore, prays for pre-arrest bail of the present petitioner.

[5] Mr. Raju Datta, learned P.P. produces the case diary and opposes the bail prayer submitting that as per the medical report fracture injury has been caused on the hand of the victim and therefore, bail should not be granted. Mr. Datta, learned P.P. also submits that the recovery of weapon of offence is yet to be done and therefore, detention of the petitioner is required.

[6] This Court has considered the submissions of both sides and has also gone through the case diary.

[7] The materials as collected by the investigating officer indicates that he collected the injury report of the victim and as per the said report, the medical officer found three simple injuries on the right finger of left hand, left elbow and left thigh and one fracture injury on her right arm caused by blunt object. As per the said opinion of the doctor, the grievous injury was caused by a blunt object and that was also in the hand of the victim. Some of the witness have stated about use of shovel by the accused in commission of crime whereas some have stated about use of one iron rod by him. It also appears that both the victim side and accused person are of close relations with each other and there is previous enmity going on between the parties concerning land dispute. Taking into consideration all these aspects, the bail prayer is allowed.

[8] It is ordered that in the event of arrest of accused, Dilip Majumder in connection with Santirbazar P.S. case No.01 of 2026, he shall be released on bail on furnishing bond of Rs.30,000/- (*Rupees thirty thousand*) with one surety of like amount to the satisfaction of the arresting authority on condition that-

(i) he will give his attendance once in a week at Santirbazar police station for next three months or till the charge-sheet is submitted, whichever is earlier.

(ii) he will appear before the investigating officer to face interrogation as and when requires.

(iii) he will not try to terrorize or influence any person acquainted with the fact of the case.

(iv) he will regularly attend the Court to face trial.

With such observations and directions, the bail petition is disposed of.

Return the case diary to learned P.P with copy of this order.

Pending application(s), if any, shall stand disposed of.

JUDGE

