

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

**A.B. No.23 of 2026**

**Sri Debajyoti Basu,**

S/O- Sri Bipul Kumar Basu, R/O. Bagbazar,  
Talpukur, 3<sup>rd</sup> Lane, Chandannagar, District-  
Hoogly, P.O. & P.S. Chandannagar, West  
Bengal, PIN-712136

..... Petitioner (s)

**- V e r s u s -**

**The State of Tripura**

..... Respondent(s)

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For the petitioner (s) : Ms. S. Nandi, Adv.  
Mr. S. Datta, Adv.

For the Respondent (S) : Mr. R. Data, P.P.

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**HON'BLE MR. JUSTICE S. DATTA PURKAYASTHA**

**ORDER**

**23.04.2026**

Heard learned counsel of both sides.

**[2]** This petition under Section 482 of the BNSS, 2023 in connection with East Agartala Women P.S. Case No.05 of 2026 registered under Section 69 of BNS, 2023, has been filed praying for pre-arrest bail of the petitioner.

**[3]** The allegations made in the FIR is that the petitioner has raped and cheated the informant-victim for about two years and from the very beginning, the petitioner acted as a husband of the informant-victim and father of her minor child. On 24.12.2024, the petitioner informed the family members of the informant-victim that he would marry her after disposal of the maintenance case filed by the wife of the petitioner which would be ended in the month of March or April, 2025. It is also alleged that during that period, so

many time they had physical attachment. But in the month of March and April when she asked the petitioner about the said case, he said that it would take more time. On September, 2025 one day the petitioner blocked her from all social platforms and on 03.01.2026, when the victim and her daughter met with the petitioner in front of PNB (Nimdighi Branch), the petitioner refused to have any contact with them and also questioned them why they were coming to his office and disturbing him. The petitioner told them to leave the place and subsequently, he also left from his office. As a result of this incident, her daughter became mentally sick and got trauma also.

[4] Learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case and the petition for maintenance lodged by the wife of the present petitioner is still pending in the court and as per the FIR itself unless that maintenance case is disposed of, he is not in a position to marry the informant-victim. Learned counsel also submits that there is no deceitful attitude of the petitioner to cheat the present informant-victim and moreover, he is an employee of Punjab National Bank, therefore, there is no chance of his abscondance and he is always ready to cooperate with the investigation. So, on any condition, the pre-arrest bail may be granted to him.

[5] Learned counsel also relies on some decisions of the High Court of Chhattisgarh in the cases of **Prem Netam vs. State of Chhattisgarh, through Station House Officer, 2024 SCC OnLine Chh 10471; Chandrakant Jalchhatri vs. State of Chhattisgarh, through Station House Officer, Police Station- Chakradharnagar, 2024 SCC OnLine Chh 12486 and Khamendra Sahu vs. State of Chattisgarh, through-P.S. Rajhara, 2024 SCC OnLine Chh 12487**, wherein the High Court granted pre-arrest bail

to the accused persons on the ground that there were consensual sex between the victim and the accused persons but the marriage could not be materialized for certain reasons.

**[6]** Learned PP producing the case diary however opposes the bail prayer and submits that there are prima-facie materials against the petitioner under Section 69 of the BNS. Learned PP also submits that the presence of the accused petitioner is also required for his potency test to be conducted by a Medical Officer.

**[7]** Considered the submissions of both sides and also gone through the case diary.

**[8]** It appears that the investigating officer and the learned Judicial Magistrate recorded the statement of the victim-informant both under Sections 180 and 183 of BNSS. Nowhere in both the statements, the victim stated that the accused petitioner had adopted any deceitful means or made any false promise to marry her and thereby induced her to go for a physical relation with him. Investigation is also substantially proceeded with. As per the FIR, the last meeting between the victim and the accused was held on 03.01.2026 when he allegedly refused to have any contact with the informant-victim but the FIR has been lodged after about one and half months therefrom.

**[9]** Considering all these aspects, the petition for pre-arrest bail is allowed. It is ordered that in the event of arrest of the petitioner, namely Sri Debajyoti Basu, he shall be released on bail on furnishing a bond of Rs.75,000/- [Seventy Five thousand] only with one surety of the like amount to

the satisfaction of the arresting authority on condition that the petitioner will give his attendance once in a fortnight before the investigating officer for next three months. He will appear before the investigating officer as and when so requires to face interrogation and also will cooperate with the investigation. He will not try to terrorize or influence any person acquainted with the facts of the case to dissuade him or them to divulge the truth before the Court or to the investigating officer. The surety must be a solvent one.

With such observations and directions, this petition for pre-arrest bail is disposed of.

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

Reconsign the lower Courts records.

Return the CD to the learned P.P. with a copy of this order.

**JUDGE**

**SUJAY GHOSH** | Digitally signed by SUJAY GHOSH  
Date: 2026.04.24 17:03:58 +05'30'

*Sujay*