



**HIGH COURT OF TRIPURA
AGARTALA**

AB No.28 of 2026

Sri Sanjay Deb @ Motu,
Son of Sajal Deb, resident of Taranagar, Mohanpur Bazaar, P.O.
Mohanpur, P.S. Sidhai, District – West Tripura, Pin-799211.

.....Petitioner(s);

V E R S U S

The State of Tripura

.....Respondent(s);

For Petitioner(s) : Mr. Prasanta Sen Chowdhury, Advocate.

For Respondent(s) : Mr. Raju Datta, Public Prosecutor.

HON'BLE MR. JUSTICE S. DATTA PURKAYASTHA
_O_R_D_E_R_

18/05/2026

Heard learned counsel of both sides.

[2] The petition for pre-arrest bail is filed by the accused Sanjay Deb @Motu in connection with Sidhai PS case No.015/2026 registered under Sections 20(b)(ii)(C)/25/29 of NDPS Act, 1985.

[3] The allegation as surfaced in FIR lodged by SI Sourav Bhattacharjee of Sidhai police station is that based on secret information on 07.03.2026, he raided the house of the co-accused of Sri Nipen Kal which was rented to him by the present accused and during search the police recovered total 48 kg of suspected ganja therefrom. He, thereafter, arrested said co-accused Nipen Kal.

[4] Learned counsel, Mr. Prasanta Sen Chowdhury, strenuously argues on behalf of the petitioner that the accused petitioner is not the owner of the said house and he is residing in the house of his wife at Jogendranagar. Though he has some land property in Mohanpur Sub-division, but it is situated at Taranagar area which is situated far away from Mantala, the alleged place of occurrence. Learned counsel also submits that even if it is presumed that he was the owner of the house, his complicity cannot be presumed in this case unless the prosecution produces sufficient materials to show his involvement in alleged illicit trafficking and just because some contraband items were recovered from the room of a tenant, a land owner cannot be held responsible. Moreover, investigating officer has not been able to show anything that he is the owner of said house, rather, according to the petitioner, one Subodh Chandra Dey is the owner of the said house and ROR still stands in his name. Copy of same ROR is also submitted along with the bail application.

[5] Learned Public Prosecutor, however, seriously opposes the prayer submitting that in the case diary there are sufficient prima facie materials regarding involvement of the present accused in the alleged drug trafficking and the petitioner had earlier preferred one petition under Section 528 of BNSS for quashing of the FIR against him which was also rejected by the coordinate Bench of this Court.

[6] In reply thereto, learned counsel Mr. Sen Chowdhury submits that though his petition for quashing the FIR was rejected, but learned Bench observed that up to the date of disposal of said petition, the investigating officer could not produce any conclusive proof before the Court to substantiate that the petitioner-accused was the sole owner of the property where from the contraband items were seized.

[7] This Court has considered the submissions of both sides and has appreciated the materials placed in the case diary. It appears that the investigating officer has examined independent witnesses of Mantala locality who categorically stated that the said accused Nipen Kal, Sanjay Deb and Babul Datta would often met with each other and would carry suspicious packets/bags. They also stated that said Sanjay Deb would often visit one house at Mantala which was under his control and in that house Nipen Kal would stay as tenant for the time being. They further stated that on 06.03.2026 in the night, they found said Sanjay Deb with some others bringing three suspicious sacks by a Bolero Pickup Vehicle in the said house and when the witnesses noticed it, they were threatened by those persons. The legal representatives of Subodh Chandra Dey are also examined by the investigating officer who stated that their predecessor, Subodh Chandra Dey, had sold out some land to said Sanjay Deb.

[8] As it appears, there are prima facie materials against the present accused person to be involved in the transaction of

alleged commercial quantity of Ganja, and therefore, the pre-arrest bail cannot be granted to the accused. Accordingly, the bail prayer is rejected.

Re-consign the case diary to learned Public Prosecutor with copy of this order.

Interim order, if any, stands vacated.

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

JUDGE



सत्यमेव जयते