



HIGH COURT OF TRIPURA

AGARTALA

BA 102 OF 2026

Sri Litan Das,

S/o Sri Ramesh Ch. Das, resident of Bhattapukur, Kalitilla,
P.S. AD Nagar, Agartala, District-West Tripura.

..... Applicant/petitioner(s);

V E R S U S

The State of Tripura

.....Respondent(s);

For the Applicant/petitioner(s) : Mr. Soumyadeep Saha, Advocate.

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

HON'BLE MR. JUSTICE S. DATTA PURKAYASTHA

O R D E R

20/05/2026

Heard learned counsels of both sides.

2. The bail petition has been filed by the accused-petitioner in connection with Kailashahar P.S. Case No.21/2025, registered under Section 22(b)(ii)(c)/25/27A/29 of NDPS Act which is later on renumbered as Special (NDPS) Case No.03/2025 in the Court of learned Special Judge, Unokoti, Kailashahar,

3. The accused was arrested on 20.04.2025 and since then he is in custody. The allegation against him, as per the FIR, is of recovery of 49 Kgs. of suspected ganja from the secret chamber of his vehicle.

4. Learned counsel, Mr. S. Saha appearing for the accused-petitioner submits that the ground of arrest was not communicated to the accused-petitioner rendering his arrest illegal for violation of Article 22(1)

of the Constitution, and therefore, bail may be granted to him as for more than 397 days the accused-petitioner is in custody.

5. Learned P.P. fairly submits that no document containing ground of arrest was communicated to the accused-petitioner on any occasion except the arrest memo. In the arrest memo, as it appears, the ground of arrest as shown by the arresting officer is *“in connection with above reference”*. What are meant by those words, is not clear. On perusal of the trial Court record, it appears that though the accused-petitioner was represented duly either by the Legal-aid Defence Counsel or by an engaged advocate of the accused, such plea was never raised before the learned Special Judge and learned Court also on its own initiative did not verify the said fact. Despite the arrest was rendered illegal, the accused-petitioner is in custody for more than one year.

6. Considering thus, the bail prayer is allowed.

7. The accused-petitioner, namely, **Litan Das** may go on bail on furnishing a bond of **Rs.1,00,000/- (Rupees one lakh)** only with one surety of like amount to the satisfaction of learned Special Judge, Unakoti, Kailashahar on condition that the accused-petitioner will not leave the State of Tripura without prior permission of the learned Special Judge. He will regularly attend the Court to face trial and will not try to make any contact with any prosecution witness, either directly or indirectly, for the purpose of either influencing them or terrorizing them so as to obstruct them from divulging truth before the Court. He will give his attendance once in every fort-night before the learned Special Judge till completion of trial or unless, the said condition is relaxed by learned Special Judge.

8. With this observation and direction, the bail application is accordingly allowed.

Send a copy of this order forthwith to the learned Special Judge.

Return the C.D. and trial Court record.

Bail application is accordingly disposed of.

JUDGE

SAIKAT KAR

 Digitally signed by SAIKAT KAR
Date: 2026.05.20 19:28:43 +05'30'

Sanjay