



**HIGH COURT OF TRIPURA
AGARTALA**

AB No.37 of 2026

Sri Dipan Das, S/o- Lt. Upendra Kumar Das, aged about 38 years, resident of Laxminagar (near market), P.S.- Churaibari, District- North Tripura.
.....Petitioner(s).

V e r s u s

The State of Tripura

.....Respondent(s).

For Petitioner (s)	:	Mr. Sankar Lodh, Advocate. Mr. Kishalay Roy, Advocate.
For Respondent(s)	:	Mr. Raju Datta, PP.

HON'BLE MR. JUSTICE S. DATTA PURKAYASTHA

Order

23/06/2026

Heard learned counsel of both sides.

[2] This application for pre-arrest bail is filed by the accused, Dipan Das in connection with case No.CRB 19 of 2026, registered under Sections 61, 143(2), 249(c) of BNS, 2023 and Section 21 of the Immigration & Foreigners Act, 2025.

[3] The allegations as borne in the FIR is that one Bangladeshi national was arrested by the police from one house at Laxminagar under Churaibari Police Station on 21.05.2026. After prolonged interrogation, he discloses that his actual name is Md. Harun and that he illegally entered into India one month ago through the Indo-Bangla border with the help of touts from both Bangladesh side and Indian side. Thereafter, he took shelter in one house located at Laxminagar with the help of the present petitioner and the present petitioner gave him assurance that he would help said person to prepare Indian Identity Proof document. The said Bangladeshi national concealed his identity and nationality and was living at Laxminagar as Indian national with his false name as Ripan Das. The said person was then arrested, and the FIR was lodged by ASI, Krishnadhan Biswas.

[4] Mr. Sankar Lodh, learned counsel for the petitioner submits that, so far as Sections 61 and 143(2) of BNS are concerned, the same are



not applicable in case of the present accused person. Even, in view of the definition of 'trafficking' as given in Section 143(1) of BNS, Section 61 and Section 143(2) of the BNS are also not applicable in case of the present petitioner, and Section 21 of Immigration & Foreigners Act may be applicable only in case of the prime accused. According to the learned counsel, at best, Section 249(c) of BNS may be applied in the case of the present petitioner which itself is a bailable offence. Therefore, bail may be granted to the accused petitioner on any condition.

[5] Mr. Raju Datta, learned PP by producing the case diary, has opposed the prayer. He has also raised the issue that no justification regarding the apprehension of arrest of the petitioner was divulged in the bail application. Taking note of the incriminating materials against the present accused petitioner, learned PP prays for rejection of the prayer.

[6] Court has considered the submissions of both sides and has gone through the case diary. So far the submission of learned PP that nothing has been shown regarding apprehension of arrest of the petitioner is concerned, the Court is not convinced with such submission, as there is a specific FIR lodged against the present petitioner and he has also stated in the petition that he is apprehending arrest for the same. Therefore, such plea of learned PP is not acceptable. It appears that there are prima facie materials that the present petitioner along with another person brought the said Bangladeshi national into India against payment of Rs.1,35,000/- and gave him shelter in the house wherefrom he was arrested. Prima facie, there are materials of provision of Section 24 read with Section 20(2) of Immigration & Foreigners Act, 2025 against the present petitioner and prima facie, such conducts may be adverse to the interest and security of the nation, and therefore, same cannot be viewed lightly. Considering all these aspects, the bail prayer is rejected.

Return the CD to learned PP along with copy of this order.

SAIKAT
SARMA

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JUDGE