

**HIGH COURT OF TRIPURA
AGARTALA**

AB No.93 of 2025

1.**Shri Debabrata Majumder** S/O- Sri Dilip Majumder,
Resident of Majumder Para, Lankamura, PS- West Agartala,
Dist- West Tripura.

2.**Sri Haradhan Majumder** S/O- Lt. Prakash Majumder,
Resident of Majumder Para, Lankamura, PS- West Agartala,
Dist- West Tripura.

....Applicants(s)

Versus

The State of Tripura (represented by the Secretary, Home
Department), Government of Tripura, Agartala.

....Respondent(s)

For Applicant(s)	:	Mr. J. Bhattacharjee, Advocate. Mr. M.K.Bhowmik, Advocate.
For Respondent(s)	:	Mr. R.Saha, Addl.PP.

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HON'BLE MR. JUSTICE S. DATTA PURKAYASTHA

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05.01.2026

Heard Ld. Counsel, Mr. Janardhan Bhattacharjee
for the applicants and Ld. Addl. PP, Mr. R. Saha for the state.

[2] The application for pre-arrest bail under Section 482 of Bharatiya Nagarik Suraksha Sanhita (for short- 'BNSS'), 2023 is submitted by the accused Debabrata Majumder and Haradhan Majumder in connection with West Agartala P.S. Case No. 2025/WAG/124 registered under Sections 118(2)/331(6)/351/305/3(5) of Bharatiya Nyaya Sanhita(for short -'BNS')2023.

[3] The FIR was lodged by one Babul Majumder that on 20.10.2025 at about 8 PM, he along with his sons, daughter in law, brother of daughter-in-law went to enjoy Kali Puja at Majumder Para and there they also bursted certain crackers. Concerning that issue, the 7 accused persons named in the FIR physically assaulted his sons and again in the night at around 10.00 PM, said accused persons illegally entered into their house by breaking the door and physically assaulted him, his daughter-in-law and brother of said daughter-in-law. They also outraged her modesty by pulling her wearing apparels and at the time of return, they took away one mobile phone, one gold chain and cash of Rs.30,000/- which was kept in the suit-case. Thereafter, they got treatment at IGM Hospital, Agartala.

[4] Ld. Counsel Mr. Bhattacharjee, for the applicants, submits that the FIR was lodged after 14 days of the alleged incident, falsely implicated the applicants and accused Haradhan Majumder is aged about 70 years. Therefore, special consideration may be given in respect of his prayer.

[5] Ld. Counsel Mr. Bhattacharjee also submits that earlier, one Dilip Sarkar was arrested in connection with this case and after his incarceration for 29 days, Ld. Chief Judicial Magistrate, West Tripura released him on bail, as on production of CD, Ld. Chief Judicial Magistrate was satisfied that there was not much incriminating materials against said accused person and there was also no indication of any

grievous injury of any of the victims of the case in the injury report.

Ld. Counsel Mr. Bhattacharjee, therefore, earnestly prays for bail of both the accused persons.

[6] Ld. Addl. PP, Mr. R.Saha, on the other hand, submits that there are specific evidences that one smart phone, one gold chain and further, cash of Rs.30,000/- were taken away by the accused persons from the house of the victims and for the recovery of said items, interrogation of accused Debabrata Majumder is required.

[7] Though Ld. Addl. PP has opposed the bail prayer of both the accused persons, but, also submits that in case bail is granted to Haradhan Majumder, at least bail prayer of Debabrata Majumder may be rejected, otherwise, investigation will suffer.

[8] Considered the submissions.

Also perused the CD.

[9] I.O. has collected the medical injury report of the 3 victims and there is no indication that any of them has suffered any grievous injury. I.O. has also examined many witnesses of the case and there are certain materials that certain amount of money with gold chain and one smart phone etc. were taken away by the accused persons. However, it is not disputed that Haradhan Majumder is a senior citizen and that FIR was lodged with significant delay.

[10] The Investigating Officer earlier arrested one accused namely Dilip Sarkar and took him into police custody under remand for the purpose of recovery of weapon of offence such as knife and sharp wooden piece and also for recovery of alleged Rs.30,000/- etc. He was interrogated and his interrogation report shows that some other accused persons than the present applicants were allegedly involved in such snatching etc. Therefore, the plea, as taken by the I.O., that for recovery of those items the detention of the present applicants is required, is not much convincing. The investigation of the case has also significantly progressed.

[11] Considering all these aspects, bail prayers of both the applicants are allowed.

[12] It is ordered that in the event of arrest in connection with West Agartala P.S. Case No. 2025/WAG/124, the accused applicants namely Debabrata Majumder and Haradhan Majumder shall be released on bail on furnishing of bond of Rs. 50,000/- each with one surety of like amount to the satisfaction of arresting authority on conditions that:

- i) Accused Debabrata Majumder will give his attendance before the Investigating Officer once in a week for the next 2 months;
- ii) Both the accused persons will appear before the I.O., as and when required, to face interrogation;

(iii) They will not try to influence or terrorize any of the persons acquainted with the fact of the case to dissuade him / them from divulging the truth before the Court or before the Investigating Officer;

iv) They will regularly appear before the Court to face trial.

[13] With such directions, the bail application is disposed of.

[14] Reconsign the CD with copy of this order.

Also send copy of this order to Ld. Chief Judicial Magistrate, West Tripura, Agartala.

JUDGE

