HIGH COURT OF TRIPURA
AGARTALA

AB 94 of 2025

1. Sri Monish Sarkar,
S/o Matilal Sarkar, R/o Ward-7,
Mouja Anandanagar, G.P. Malaynagar,
P.O. Renters Colony, P.S. Srinagar,
District-West Tripura, Pin-799004.

2. Sri Sagar Chakraborty,
S/o Sanjit Chakraborty, R/o Panchabati,
Megi Bandh, Vidyasagar, P.S. Sidhai,
District-West Tripura, Pin-799212.

… Accused-petitioners.

Vs.

The State of Tripura

..Respondent.

For the Applicant-petitioners	:	Mr. Bhaskar Deb, Advocate. Mr.Victor Ghosh, Advocate.
For the respondent	:	Mr. Raju Datta, P.P.

HON'BLE MR. JUSTICE S. DATTA PURKAYASTHA

Order

08.01.2026

Heard learned counsel, Mr. Bhaskar Deb for the petitioners and Mr. Raju Datta, learned P.P. for the State-respondent.

2. Learned P.P. has produced the case diary.

3. The petition for pre-arrest bail is submitted by the accused petitioners, namely, Monish Sarkar and Sagar Chakraborty in connection with West Agartala P.S. Case No.125 of 2025, registered under Sections 118(2),126(2) 351(3) and subsequently added Section 109 of BNS, 2023.

4. The allegations in the FIR as lodged by the wife of the victim, *inter alia*, are that on 06.11.2025, at about 11-30 pm when her husband after completing his work of loading and unloading was returning home, all the

accused persons named in the FIR caused hurt to him by piece of bricks on his head and other portion of his body with an intention to kill him. As a result, he sustained severe bleeding injuries and even he lost one of his fingers. He got his treatment at GBP Hospital, Agartala and was fighting there for his life. Eight (8) accused persons were named in the FIR including the present two accused-petitioners.

5. During hearing, learned counsel, Mr. Deb submits that there are no ingredients of Sections 118(2) and 109 of BNS, 2023 in this case and other provisions are bailable. Moreover, the present accused-petitioners are the permanent residents of Agartala and therefore, if bail is granted to them, there is no chance of their absondance and they will co-operate with the investigation.

6. Learned P.P. though opposes the bail prayer, but fairly submits that no piece of brick was seized by the I.O. and moreover, the injury report reflects that all the injuries were simple.

7. The Court has gone through the materials placed in the C.D, it appears that though the victim got treatment at GBP Hospital, Agartala with severe multiple injuries, but all the injuries were simple in nature. Prima facie, nothing is found available at this stage to infer applicability of Sections 118(2) and 109 of BNS, 2023 in this case.

8. Considering thus, the bail prayer stands allowed.

9. It is ordered that in the event of arrest, both the accuesed-petitioners, namely, **Monish Sarkar** and **Sagar Chakraborty** shall be released on bail, in connection with **West Agartala P.S. Case No.125 of 2025**, on furnishing a bond of **Rs.30,000/-(Rupees thirty thousand)** only

with one surety of like amount each, to the satisfaction of the Arresting Authority on the following conditions that:-

(i) They will appear before the I.O., as and when required, on receipt of information from the I.O. regarding such appearance, so as to face interrogation if any, and will also regularly appear before the Court to face trial;

(ii) They will not try to influence or terrorize any witnesses of the case to dissuade them from divulging the truth before the I.O. or before the Court.

10. Whatever observations are made here-in-above, are made only for limited purpose to decide the merit of the bail application and these will have no bearing during trial of the case.

11. With such observations and directions, the bail application stands disposed.

12. Reconsign the C.D. to learned P.P. with copy of this order.

JUDGE

SANJAY GHOSH Digitally signed by SANJAY GHOSH
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sanjay