

Party Name : BIKRAM SARKAR & ORS Vs THE STATE OF TRIPURA

HONBLE THE CHIEF JUSTICE DEEPAK GUPTA

Heard learned counsel for the parties.

Perused the case diary.

The complaint has been filed by Smt. Dipika Sarkar, wife of the accused-applicant No.1, wherein she has alleged that the applicants have treated her with cruelty and demanded dowry etc.

This Court is not going into the merits of the case. The only issue is whether anticipatory bail should be granted or not. The offence under Section 498A is punishable only with imprisonment up to 3 years. The Apex Court in ***Arnesh Kumar Vs. State of Bihar & Anr., 2014 Legal Eagle (SC) 552*** dealing with a petition for grant of anticipatory bail under Section 498A clearly held that in offences relating to Section 498A the accused should normally not be arrested.

Keeping in view the judgment of the Apex Court, this Court had granted ad-interim anticipatory bail to the petitioners.

After hearing learned counsel for the parties, I am of the considered view that the said bail order should be confirmed on the same terms and conditions.