

Party Name : BASHI DEBBARMA & ANR Vs THE STATE OF TRIPURA

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HONBLE THE CHIEF JUSTICE DEEPAK GUPTA

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This is an application filed by the petitioners Sri Bashu Debbarma and Smt. Premkanya Debbarma for grant of anticipatory bail in respect of Santir Bazar P.S. Case No.22 of 2015 registered under sections 417/ 376(2)(n) /120 (B) of the Indian Penal Code (IPC).

The allegation of the informant-complainant-victim is that she had a love affair with the son of the petitioners namely Surajit Debbarma. According to her, with the consent of his parents (petitioners herein) Surajit had promised that he would marry her and hoping and expecting that he would marry her, she had sexual intercourse with him. It is not necessary to give other details, but according to the victim, Surajit in connivance with his parents, the petitioners herein, refused to marry her and, therefore, committed offences punishable under Sections 417 read with Sections 376(2)(n) and 120(B) of the IPC.

From the FIR, it reveals that there are no direct allegations against the petitioners. The bail petition filed by the main accused Surajit Debbarma being A.B. 48 of 2015 was allowed by this Court on 01.7.2015.

Therefore, it is ordered that in the event of their arrest, the petitioners shall be enlarged on bail on their furnishing a bail bond in the sum of Rs.10,000/- (rupees ten thousand) each with one surety in the like amount to the satisfaction of the Arresting Officer subject to the following terms and conditions:-

(i) That, the petitioner Sri Bashu Debbarma shall appear before the Investigating Officer at 11.00 a.m. on Saturday (18.07.2015). He shall also appear before the Investigating Officer on every subsequent date for which a written notice is served upon him. Since petitioner Smt. Premkanya Debbarma is a lady, she shall, as far as possible, be questioned at her residence in the presence of a lady constable;

(ii) The petitioners are further directed not to tamper with or in any manner influence the prosecution witnesses;

(iii) The petitioners are further directed not to in any manner try to influence any of the prosecution witnesses;

(iv) The petitioners are further directed not to cause any hindrance in the investigation;

(v) The petitioners shall not leave Tripura without permission of the appropriate Court;

(vi) In case, the petitioners violate any of the conditions or try to delay the trial the prosecution shall be at liberty to apply for cancellation of bail.

On the petitioners filing application for supply of the copy on payment of appropriate fees, the copy of the same shall be supplied to the petitioners by tomorrow.