

THE HIGH COURT OF TRIPURA

A G A R T A L A

Bail Appln. No. 60 of 2015

Accused-Petitioner:

Smt. Ambalika Datta,

W/o. Shri Ashim Pal, resident of
Radhanagar, P.O-Agartala, P.S-West
Agartala, District: West Tripura.

Petitioner:

For and on behalf of the Accused

Sri Asim Pal,

S/o. Late Jagatbandhu Pal, resident of
Radhanagar, P.O-Agartala, P.S-West
Agartala, District: West Tripura.

By Advocates :

Mr. A. K. Bhowmik, Sr. Adv.

Mr. R. Dutta, Adv.

Respondent :

The State of Tripura,

Represented by the Secretary to the
Government of Tripura, Home Department,
Agartala.

By Advocate :

Mr. R. C. Debnath, Addl. P.P.

B E F O R E

HON'BLE THE CHIEF JUSTICE MR. DEEPAK GUPTA

Date of hearing : **29th July, 2015.**

Date of Judgment & Order : **7th August, 2015.**

Whether fit for reporting :

Yes	No
	✓

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This application for grant of bail has been filed by the petitioner, Shri Asim Pal on behalf of the accused, Smti Ambalika Datta, Deputy Director, Directorate of School Education, Tripura, Agartala (hereinafter called as the accused) in connection with West Agartala P.S Case No.2015/WAG/060 registered against the accused under Section

120B/409/468/471/477A/420 IPC read with Section 13(2), 131(c) and (d) of Prevention of Corruption Act, 1988.

[2] The main accused in this case is Sri Arnab Chakraborty, LDC, Cashier. It is alleged that Arnab Chakraborty had forged a large number of cheques and in some of the cheques the signature of the accused (Smti Ambalika Datta) have been forged and in some cheques the signature of the Director have been forged. These cheques were sent to the Tripura State Forensic Science Laboratory and out of these 93(ninety three) cheques 2(two) cheques are stated to be signed by the accused. The value of these two cheques is Rs.6.1 lakhs. The total amount of misappropriation in this case is stated to be Rs.3.19 crores but even according to the prosecution in all other cases the cheques are not signed by the accused but only in two cases the cheques are signed by her.

[3] At this stage this Court will not going into the merit of the case. The accused is a lady and she is a permanent Govt. employee. It is found that she is unwell. She was arrested on 14.07.2015. More than 3(three) weeks have elapsed and the police has had a reasonable opportunity to interrogate her.

[4] Without going into the merits of the case, I am clearly of the view that the accused who is a permanent government servant and whose husband is also a permanent government servant will not be able to leave Tripura. She has roots in Tripura and therefore, she may be released on bail.

[5] Therefore, I direct that the accused namely, Smt. Ambalika Datta be released on bail in connection with West Agartala P.S Case No.2015/WAG/060 under Section 120B/409/468/471/477A/420 IPC read with Section 13(2), 131(c) and (d) of Prevention of Corruption Act, 1988 on her furnishing bail bond in the sum of Rs.1,00,000/- (rupees one lakh) with two sureties in the like amount to the satisfaction of the Chief Judicial Magistrate, West Tripura, Agartala undertaking therein:-

- (i) That, the accused person is directed not to tamper with or in any manner influence the prosecution witnesses;
- (ii) That, the accused shall ensure that no threat directly or indirectly is given to any of the prosecution witnesses;
- (iii) The accused is further directed not to cause any hindrance in the investigation;
- (iv) The accused shall not leave Tripura without permission of the appropriate Court;
- (v) The accused person shall appear before the trial Court on each and every date of hearing. In case, she absent herself on any date, then the trial Court shall cancel the bail and the accused shall be arrested. Thereafter, the said person shall have to approach this Court for grant of bail;
- (vi) In case, the accused person violates any of the conditions or tries to delay the trial the prosecution shall be at liberty to approach this Court for cancellation of bail.

[6] With these observations, the bail application is disposed of.

CHIEF JUSTICE