

Party Name : AJMAL HUSSAIN BARBHUIYA Vs THE STATE OF TRIPURA

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HONBLE THE CHIEF JUSTICE DEEPAK GUPTA HONBLE THE CHIEF JUSTICE DEEPAK GUPTA THE HONBLE MR JUSTICE U. B. SAHA

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This is an application for grant of anticipatory bail in respect of Dharmanagar P.S. Case No.143 of 2011 registered under Sections 420/406/34 IPC.

The prosecution story, briefly, is that on 05.10.2011 one Must. Rajia Begum lodged an FIR that two persons Smt. Lipi Dey and Sri Rupan Bhattacharjee had collected money from her and other family members in the name of a Company namely, Silver Stripe Marketing Ltd. They claimed to be the Branch Manager and All Tripura Senior Manager of the Dharmanagar Branch of the said Company.

As far as the petitioner-Ajmal Hussain Barbhuiya is concerned, according to him, he was only working as an Office Assistant in the Office of the Silver Stripe Construction & Real Estate Ltd.

The petitioner is not the main culprit. The main culprits are the Managing Director etc. of the Company. After the bail application was filed, I had directed the petitioners to cooperate with the investigation and it is stated that they are cooperated.

Therefore, it is ordered that in the event of his arrest, the petitioner shall be enlarged on bail on his furnishing a bail bond in the sum of Rs.10,000/- (rupees Ten thousand) 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 shall appear before the Investigating Officer at 11.00 a.m. on Friday (11.09.2015). He shall also appear before the Investigating Officer on every subsequent date for which a written notice is served upon him;

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

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

(iv) The petitioner is further directed not to cause any hindrance in the investigation;

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

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

It is made clear that any opinion expressed in this order is only for the purpose of deciding the bail application and the main case shall be decided on its own merits.

In case, the prosecution during further investigation discovers more material which directly links the petitioner with the commission of the offence they can approach the Court for cancellation of bail.

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