

Party Name : SUKHA RANJAN DEY Vs THE STATE OF TRIPURA

HONBLE THE CHIEF JUSTICE DEEPAK GUPTA

I have passed a detailed order on 3rd September, 2015 whereby the petitioner has been granted anticipatory bail. At the cost of repetition it is mentioned that this anticipatory bail application arises out of a complaint lodged by Sri Ratan Datta, Advocate, to the effect that he was threatened by the petitioner not to appear on behalf of Sri Gouranga Deb. The complaint reads as follows:-

"Sir,

Most respectfully, I beg to state that I am a practicing lawyer of High Court of Tripura and its Subordinate Courts. Today I appeared A/P. Gouranga Deb for conducting the case. After closure of evidence while I was going out from Court Complex at that time Sukha Ranjan Dey and his companions threat me like anything with dire consequences and directed me not to appear for A/P Gouranga Deb, No I am feeling totally insecure and this is a very unfortunate incident.

So I pray for necessary action against Sukha Ranjan Dey and his companions and thus oblige."

Prima facie, even if the averments made in the complaint are accepted to be correct, this may amount to some other offence but it does not amount to an offence under section 195A because Sri Ratan Datta has not been compelled to give false evidence.

The only Section mentioned in the order is 195A and I am *prima facie* of the view that Section 195A is not at all attracted. Therefore, this bail order granted to the petitioner is confirmed but it is clarified that this bail is only restricted to the order passed under Section 195A and if any other proceedings are initiated against the petitioner under Section 506 of any other provisions of the Indian Penal Code he shall have to apply for the regular bail separately.

Application is disposed of.