Case No :AB 0000085/2015

Party Name : GAUTAM DATTA @ LITAN DATTA Vs THE STATE OF TRIPURA

HONBLE THE CHIEF JUSTICE DEEPAK GUPTA

This is an application for grant of anticipatory bail in respect of Special Case No.06 of 2015 arising out of Bishalgarh P.S. Case No.135 of 2014 registered under sections 409/468/471/34 of the Indian Penal Code (IPC).

There was a huge scam which has taken place in the State. As far as the present anticipatory bail application is concerned, there is more than one charge sheet filed against the accused all arising out of the same FIR. I have gone through all the charge sheets. It is alleged that the works for which payment have been made were not at all undertaken but the implementing officer raised the bills and the BDO in question sanctioned payment of the bills.

The allegations against the petitioner are that the petitioner being a businessman has accepted money from the MGNREGA account to which he was not entitled to. It is not disputed that the petitioner has cooperated in the investigation in this case. Investigation is complete in all the cases and charge sheets have been filed. Therefore, there is no need to arrest the accused at this stage. The main accused i.e. the BDO, Bishalgarh and many of the other main accused who was the Government servants have already been released on bail and therefore, I see no reason when the main accused is on bail why the other co-accused should not be granted bail.

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

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

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

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

(v) 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.

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.