

Party Name : SUMAN DAS Vs THE STATE OF TRIPURA

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HONBLE THE CHIEF JUSTICE DEEPAK GUPTA

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This is an application for grant of anticipatory bail in respect of FIR No. BJN 035 dated 05.09.2015 registered under sections 341/326/379/34 of the Indian Penal Code (IPC).

The others co-accused have already been granted interim bail by the trial Court.

The case of the prosecution is that the accused persons including the petitioner Suman Das attacked the son of the informant Chitra Das. According to the informant, his son Dhruba Ranjan Das and Mitran Das had gone to the shop of Sujit Deb when they have attacked by Sujit Deb and the others with lathi and glass made bottles.

The allegation against the petitioner was that he had broken a bottle and attacked the injured persons with the broken bottle.

I had called for the injury report and I find that there are no cut injuries and the injuries are only blunt injuries. Furthermore, I find that as per the report of the doctor there was smell of alcohol coming from both Dhruba Ranjan Das and Mitran Das. Therefore, nothing can be said on the genesis of the dispute.

At this stage, without going into the merits of the case, I am of the opinion 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 10.30 a.m. on Friday (16.10.2015). 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.

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.