HIGH COURT OF TRIPURA
AGARTALA

B.A. 118 /2020

Pranabbrata Sen on behalf of accd. Arjun Sen

----Petitioner(s)

Versus

The State of Tripura ----Respondent(s)

For Petitioner(s)	:	Mr. D. Datta, Advocate
For Respondent(s)	:	Mr. Ratan Datta, PP

HON'BLE MR. JUSTICE ARINDAM LODH

Order

17/11/2020

This is an application filed by the petitioner under Section 439 of Cr.P.C. praying for granting bail to the accused person namely Arjun Sen who has been in custody since 05.11.2020 in connection with Santirbazaar P.S. Case No. 52 of 2019 registered under Sections 302/34 of the IPC.

Heard Mr. D. Datta, learned counsel appearing for the petitioner as well as Mr. Ratan Datta, learned P.P. appearing for the State-respondent.

Mr. D. Datta, learned counsel appearing for the petitioner has submitted that since lodging of the FIR i.e. on 22.09.2019 there was no attempt to arrest the accused person and, suddenly after elapse of one year, the investigating officer had tried to arrest the accused. Thereafter, the accused had filed a petition for granting him anticipatory bail on earlier occasion before this Court. However, as per direction of this court, the accused had surrendered before the learned CJM, South Tripura, Belonia and the said application was rejected by the learned court.

I have perused the case diary as submitted by learned Public Prosecutor.

In this case it is transpired that charge sheet has already been filed and there is no prayer for further investigation. Moreover, the accused-person is a permanent resident of this State and, there is no chance of tempering the evidence at this stage. Further, there is no allegation that the accused had ever tried to influence the witnesses as charge-sheet has already been filed in this case.

Considering all aspects, I am inclined to release the accused-person to go on bail.

Accordingly, the accused person namely ***Arjun Sen*** shall be released on bail on executing a bond of Rs. 50,000/- (Rupees fifty thousand) with one surety of like amount to the satisfaction of learned Chief Judicial Magistrate, South Tripura, Belonia.

It is further directed that the accused person shall appear before the trial court on each and every dates in course of trial.

However, in the event of any failure of such appearance, the trial court is at liberty to pass order in accordance with law.

With the aforesaid direction, the bail application stands allowed and thus disposed of.

Return the case diary.

JUDGE

HIGH COURT OF TRIPURA
सत्यमेव जयते

Saikat