HIGH COURT OF TRIPURA
AGARTALA

A.B. No.80 of 2025

Dr. Biplob Kr. Das, Age-35 years,
S/o: Lt. Jatindra Kr. Das,
Resident of Rajbari, Near Railway Station,
P.O.: Rajbari, PIN:799253,
P.S.: Dharmanagar Women Police Station,
District: North Tripura.

---- Accused applicant(s)

Versus

The State of Tripura

----Respondent(s)

For Applicant(s) : Mr. Ratan Datta Adv.
Ms. Saswati Nag, Adv.

For Respondent(s) : Mr. Raju Datta, P.P.
Mr. Rajib Saha, Addl. P.P.

HON'BLE MR. JUSTICE BISWAJIT PALIT

Order

27/10/2025

Learned Counsel, Mr. Ratan Datta is present on behalf of the accused-applicant. Learned P.P., Mr. Raju Datta along with Learned Addl. P.P., Mr. Rajib Saha are present on behalf of the State-respondent.

This pre-arrest bail application under Section 482 of BNSS, 2023 is filed for granting pre-arrest bail to the accused-applicant namely, Dr. Biplob Kr. Das in connection with Dharmanagar Women PS case No.0026 of 2025 under Sections 69 and 115(2) of BNS, 2023.

Heard both the sides.

At this stage, Learned P.P. for the respondent-State strongly opposed the pre-arrest bail application and submitted that

in view of the direction of the Hon'ble Supreme Court in para No.6 of **Jagdeo Prasad vs. State of Bihar & Ors.,** reported in **2025 SCC OnLine SC 2108**, the present anticipatory bail application is not maintainable.

On the contrary, Learned Counsel, Mr. Ratan Datta for the accused-applicant submitted that on the initial date no such objection was raised by the Learned P.P. representing the prosecution regarding the maintainability of the present pre-arrest application.

I have also perused the order dated 22.10.2025 passed by a co-ordinate Bench of this Court.

However, in view of the observation made by the Hon'ble Supreme Court in the aforenoted case, at this stage, I do not find any scope to entertain the pre-arrest bail application filed by the accused-applicant since he has directly approached this Court without approaching the concerned Learned Sessions Court.

In view of the above, the instant anticipatory bail application bears no merit and accordingly, stands rejected. However, liberty is given to the accused-applicant to approach to concerned Learned Sessions Court, if he is so advised.

Send down the record to the Learned Trial Court along with a copy of this order. Return back the Case Diary to I.O. through Learned P.P. along with a copy of this order.

JUDGE

Snigdha

AMRITA DEB
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