

(2024) 03 TP CK 0048

Tripura High Court- Agartala

Case No: Bail Application 10 Of 2024

Debashis Dey

APPELLANT

Vs

State Of Tripura

RESPONDENT

**Date of Decision:** March 28, 2024

**Acts Referred:**

- Indian Penal Code, 1860 - Section 34, 420

**Hon'ble Judges:** Arindam Lodh, J

**Bench:** Single Bench

**Advocate:** S. Lodh, Raju Datta

### Judgement

Arindam Lodh, J

Heard Mr. S. Lodh, learned counsel for the applicant. Also heard Mr. Raju Datta, learned PP appearing for the respondent-State.

By means of filing this application, the applicant, Sri Sentu Dey, has prayed for granting bail to his son, namely, Debashis Dey, who has been in custody since 08.03.2024 in connection with Crime No. 2023 RKP 133, dated 03.09.2023 registered under RK Pur police station under Sections 420 and 34 of the IPC.

The father of applicant, Sri Sentu Dey, appearing **in-person** today has undertaken before this Court that he will swear an affidavit by today itself stating **inter alia** that he would return the sum of Rs. 23 lakh to the complainant in the following manner:

**The 1st installment will be paid to the complainant on 28.03.2024 for an amount of Rs. 5 lakh to the bank account of JP Trading Company vide A/c No. 1914457591 lying with Kotak Mahindra Bank, having IFS Code KKBK0003537; and another sum of Rs. 5 lakh would be paid through the said bank A/c on or before 6th April, 2024, and the balance amount of Rs. 13 lakh will be paid to the said firm i.e. JP Trading Company through the aforesaid account within a period of 1 (one) month from the date on which the bank account of his son and daughter-in-law will be defreezed.**

In view of this undertaking, learned PP has submitted that the applicant though should not be released on permanent bail, but may be granted interim bail. Learned PP has further submitted that if Sri Sentu Dey, the father of the applicant herein, fails to comply with any of the terms of the above undertaking, then, the privilege of bail granted may be cancelled.

I have considered the submissions of learned counsel appearing for the parties.

I have also interacted with said Sentu Dey, and he has agreed that if he violates any of the terms of the said undertaking, which he will sworn in by way of affidavit before this court, then, necessary legal action may be taken against him also apart from cancellation of bail of his son.

In the light of above, I am inclined to release the accused Debashis Dey on interim bail till 08.04.2024. Accordingly, the applicant Sri Debashis Dey may be released on interim bail on furnishing a bail bond of Rs. 1 lakh with one surety of the like amount to the satisfaction of learned CJM, Gomati Judicial District, Udaipur.

List the matter on 08.04.2024.

The affidavit sworn by the father of the applicant today has to be filed before the Registry of this court in course of the day and copy of the same may be kept with the record itself.