

(2025) 12 TP CK 1723
In the Tripura High Court
Case No : Bail Application No. 134 Of 2025

Chitta Ranjan Pal

APPELLANT

Vs

State Of Tripura

RESPONDENT

Date of Decision : 19-12-2025

Acts Referred:

Bharatiya Nagarik Suraksha Sanhita, 2023 — Section 483
Bharatiya Nyaya Sanhita, 2023 — Section 65(2), 351(3)
Protection Of Children From Sexual Offences Act, 2012 — Section 6

Citation : (2025) 12 TP CK 1723

Hon'ble Judges : Biswajit Palit, J

Bench : Single Bench

Advocate : Pradip Rathor, Rajib Saha

Final Decision : Disposed Of

Judgement

Biswajit Palit, J

This bail application under Section 483 of BNSS, 2023 is filed for releasing of the accused person-in-custody on bail in connection with West Agartala, Women P.S. case No.021 of 2025 corresponding to SPL(POCSO) 33 of 2025 under Section 65(2)/351(3) of BNS, 2023 read with Section 6 of POCSO Act.

Heard Learned Counsel, Mr. P. Rathor appearing on behalf of the applicant and also heard Learned Addl. P.P., Mr. R. Saha on behalf of the State-respondent. As ordered earlier, we have received the record from the Learned Trial Court and Learned Addl. P.P. had also produced the case diary.

Taking part in the hearing, Learned Counsel, Mr. Rathor first of all drawn the attention of the Court that earlier on behalf of the accused-in-custody, a bail petition was moved to this Court and this Court by order dated 03.11.2025 rejected the bail application of the accused-in-custody on the ground that the evidence of the victim and her parents were not recorded. Learned Counsel further submitted that the alleged incident took place on 07.05.2025 but the FIR

was laid on 19.05.2025 after a considerable delay of 12 days but in this regard nothing has been explained by the informant in the FIR. It was further submitted by Learned Counsel for the applicant that by this time the evidence of victim and her parents have been recorded and medical evidence on record is also contrary to the prosecution case. It was further submitted that after the alleged occurrence the victim attended in some other ceremonies. It may so happen that the incident took place in some other place but the present accused has been falsely implicated in this case. It was also submitted that the accused is a boy of tender age, so, considering the long period of his incarceration in jail, he may be released on bail in any condition. It was also submitted that the accused-in-custody has come of a poor family and his family had a very coordinate relation with the family of the victim. But it is surprising as to why he has been falsely implicated in this case. Learned Counsel also made alternative submission that even if the prosecution story is found to be correct, but in that case no such alleged pipe which according to the victim was entered into her vagina was seized by the I.O. in course of investigation. So, in absence of seizure of such alat the prosecution story seems to be doubtful. So, in summing up, Learned Counsel urged for releasing the accused on bail in any condition.

On the other hand, Learned Addl. P.P. strongly opposed the submission made by Learned Counsel for the accused-in-custody and submitted that from the evidence of the victim and her parents, it is clear that there was clear penetration of some substance by the accused to the vagina of the victim. Situated thus, considering the materials on record, there is no scope to release the accused on bail in any condition at this stage and urged for dismissal of this bail application.

Considered.

In this case prosecution was set into motion on the basis of an FIR laid by one Sri Shimul Ghosh to O/C, West Agartala, Women P.S. alleging inter alia that on 07.05.2025 at about 2p.m., the wife of the informant after keeping the younger daughter (name withheld), aged about 7 years in the residence of one neighbour, Chitta Paul proceeded towards her job, when in the residence of Chitta Paul the wife of Chitta Paul and her son were there. After that the son of Chitta Paul, i.e. the present accused forcefully committed rape upon her and threatened to kill her in case of disclosure of the same to any other person. Thereafter, on 17.05.2025 in the night his daughter when she was sleeping suddenly woke up and disclosed the name of the present accused-in-custody when she disclosed the incident being enquired by his wife. After that she was brought to hospital and on 19.05.2025 the FIR was laid.

In course of investigation, the accused was taken into custody on and from 24.05.2025 he is lodging in jail. The I.O. after completion of investigation has laid charge-sheet against the accused and accordingly, Learned Trial Court framed charge under Section 65(2)/351(3) of BNS read with Section 6 of the POCSO Act against the present accused.

I have also gone through the evidence on record of the victim and her parents and also the medical report of the victim. Prima facie there is no evidence of any sexual inter course by the accused to the victim of this case rather there is evidence on record that the alleged accused inserted one pipe in the urinal point of her daughter. That alleged pipe was not seized by I.O. during investigation and Learned Addl. P.P. in course of hearing, could not submit any thing regarding seizure of the alleged hard substance which was used in the commission of offence. The trial of this case has not yet been completed. However, considering the material evidence on record and the period of incarceration of the accused-in-custody, I am inclined to grant bail to the accused-in-custody of his execution of bond of Rs.50,000/- with two sureties of like amount on condition that the accused shall attend before the Learned Trial Court on all the dates of hearing and he shall not make any attempt to tamper evidence on record of the prosecution nor he shall make any attempt to threaten the family of the victim, i.d. the accused shall remain in J/C as before. From the record, it appears that in this case up to this stage 10 nos. of witnesses has been examined out of 34 nos. of witnesses and Learned Trial Court has fixed the date for recording evidence of witnesses on and from 12.01.2026 to 21.01.2026. So, all endeavour shall be taken by the Learned Trial Court below to dispose of the case not rather than 30.06.2026.

With this observation, the bail application filed stands disposed of.

Send down the record to the Learned Trial Court along with a copy of this order.

Supply a copy of this order to Learned Counsel for the applicant for information and compliance. A Copy of this order also be sent to I.O. through Learned Addl. P.P. along with the case diary, if any.