

24.12.2020
Court No.28
SL No.35
AP

CRM 8649 of 2020
(Through Video Conference)

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Islampur** P.S. Case No.**267 of 2020** dated **28.05.2020** under Sections **498A/302/34** of the Indian Penal Code

And

In the matter of: **Somen Sarkar**

....Petitioner.

Mr. Asim Kumar Chakraborty,
Mr. Ratul Das

... for the Petitioner.

Mr. Bidyut Kumar Roy,
Ms. Rita Datta

...for the State.

It is submitted on behalf of the petitioner that the victim suffered accidental burns and died.

Learned lawyer for the State opposes the prayer for bail.

We have considered the materials on record. Submission with regard to accidental burns is supported by statement of deceased recorded in the medical papers. Under such circumstances and in view of the period of dentition suffered by the petitioner i.e. about 7 months, we are inclined to grant bail to the petitioner.

Let the petitioner be released on bail upon furnishing a Bond of Rs.10,000/-(Rupees Ten Thousand Only), with two sureties of like amount each, one of whom must be local, to the satisfaction of the Learned Additional Chief Judicial Magistrate-I, Lalbagh, Murshidabad subject to the condition that while on bail the petitioner shall appear before the learned trial court regularly till disposal of the trial and the petitioner shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to comply with the conditions as enshrined hereinbefore, it is open to the trial court to cancel the bail without any further reference to this Court.

The application for bail is, thus, allowed.

(Suvra Ghosh, J.)

(Joymalya Bagchi, J.)