

30.09.2022
tkm/ct 28
sl no. 91

C.R.M. (DB) 3512 of 2022

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Barabazar P.S case no. 70 of 2022 dated 8.5.2022 under sections 304/201/34 of the IPC
and

Allowed

In Re : Chepu Mahato & Anr. petitioners

Mr. Pawan Kr. Gupta
Mr. S Mitra
Ms. S Nesar
Mr. S Sett
Mr. Ankita Dey

..... for the petitioner

Mr. B K Roy
Ms. Rita Dutta

..... for the State

Petitioner is in custody for 145 days. It is submitted they are the parents of the victim. Victim assaulted his parents in an inebriated condition. They resisted. As a result, the victim died. They pray for bail.

We have considered materials on record including the charge sheet. In the charge sheet it is, inter alia, stated as follows:

“From the circumstances and available evidence it was very clear that the accused persons did not want to kill their son but they on being prompted by the situation caused such bodily injury to the victim that he succumbed to the injuries. They did not have any plan, motive or intention to kill the son.”

In view of the aforesaid finding in the police report and the period of detention suffered by the petitioner and as investigate is complete, we are inclined to grant bail to the petitioners.

Accordingly, the petitioners be released on bail upon furnishing a bond of Rs. 10,000/- each with two sureties of like

amount each, one of whom must be local to the satisfaction of the learned CJM, Purulia on condition that the petitioners shall appear before the trial court on every date of hearing and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event they fail to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel their bail automatically without reference to this court.

The application being CRM (DB) 3512 of 2022 is disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)