

14.12.2022.
22.
as
(Allowed)

C.R.M. (DB) 4390 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Habra P. S. Case No.282 of 2022 dated 26.03.2022 under Sections 498A/326/307/34 of the Indian Penal Code.

In the matter of : Narayan Biswas.

.... Petitioner.

Mr. Kamalesh Ch. Saha,
Ms. Payel Mitra.

...for the Petitioner.

Mr. Tanmoy Kr. Ghosh, Ld. S.G.A,
Mr. Arindam Sen.

...for the State.

Petitioner is in custody for about 300 days. He submits victim suffered accidental burn injuries. Petitioner had brought the victim to the hospital for treatment. He prays for bail.

Learned Advocate for the State opposes the prayer for bail and submits victim made statement alleging petitioner had set her on fire.

We have considered the materials on record. Statement of the victim recorded under Section 161 of the Code of Criminal Procedure runs counter to the notings in the treatment sheet of the hospital at Indore where the victim was treated.

In view of the aforesaid circumstances, we are inclined to grant bail to the petitioner.

Accordingly, the petitioner viz., Narayan Biswas shall be released on bail upon furnishing a bond of Rs.10,000/- with two sureties of like amount each, one of whom must be local,

to the satisfaction of the learned Chief Judicial Magistrate, Barasat, North 24-Paraganas subject to condition that he shall appear before the trial court on every date of hearing until further orders and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to appear before the Trial Court without any justifiable cause, the trial Court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

The application for bail is, thus, disposed of.

(Ajay Kumar Gupta,J.)

(Joymalya Bagchi, J.)