

13.02.2023
tkm/ct 28
sl no. 38

C.R.M. (DB) 578 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Tapan P.S case no.548 of 2022 dated 9.10.2022 under sections 498A/326/307/34 IPC
and

Allowed

In Re : Jagadish Biswas

..... petitioner

Mr. Amitabha Ghosh

Mr. S Chatterjee

Ms. N Chatterjee

..... for the petitioner

Mr. Debabrata Chatterjee

Ms. Baisali Basu

..... for the State

Petitioner is in custody for 61 days. It is submitted over the self-same incident two FIRs were registered. Victim accidentally suffered injuries while boiling milk. He prays for bail in both the cases.

Learned lawyers for the State opposes the bail prayer. They submit petitioner is the husband. He had opened the pipe of the LPG cylinder. As a result, victim suffered burn injuries while boiling milk for the child.

We have considered the materials on record. Whether the injury suffered by the victim was due to an accident or a product of a malefic act by the petitioner may be thrashed out during trial.

Keeping in mind the aforesaid facts and the period of detention suffered by the petitioner, we are inclined to grant bail to the petitioner.

Accordingly, the petitioner 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 CJM, Dakshin Dinajpur condition that the petitioner 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 he fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel his bail automatically without reference to this court.

The application being CRM (DB) 578 of 2023 is disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)