

03.07.2023
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allowed

CRM(DB) No. 2384 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Kalna Police Station Case No. 96 of 2023 dated 28.01.2023 under Sections 498A/304B/34 of the Indian Penal Code read with Sections 25/27 of the Arms Act.

And

In Re : Pulakesh Soren @ Pulkesh Soren petitioner

Mr. Soumyajit Das Mahapatra
....for the petitioner

Mr. P. K. Dutta, learned APP
Mr. P. K. Ganguly
.... for the State

Learned Counsel for the petitioner submits he is in custody for 133 days. Victim housewife set herself on fire. Petitioner tried to save her and sustained burn injuries. He prays for bail.

Learned Counsel for the State opposes the bail prayer and submits petitioner and his mother subjected the housewife to torture. She suffered burn injuries at the matrimonial home.

We have considered the materials on record. Though victim housewife suffered burn injuries at the matrimonial home it appears that she had set herself on fire. It is also contended that the petitioner had suffered burn injuries when he tried to save her. Petitioner has permanent home and hearth and there is no possibility of abscondence. Investigation is complete. Keeping in mind the aforesaid facts, we are inclined to grant bail to the petitioner.

Accordingly, we direct that the petitioner 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 Additional Chief Judicial Magistrate, Kalna, Purba Bardhaman, subject to conditions that petitioner shall appear before the trial court on every date of hearing until further orders and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to appear before the trial court without 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, accordingly, allowed.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)