

16.08.2023
Sl. No.35
akd
[ALLOWED]

C. R. M. (DB) 3040 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 26.07.2023 in connection with Tamluk Police Station Case No.0759 of 2022 dated 24.08.2022 under Sections 341/323/325/326A/307/506/34 of the Indian Penal Code. (G.R. Case No.2525 of 2022)

And

In Re: ***Ram Prasad Samanta***

... .. Petitioner

Mr. Avik Ghatak
Ms. Malashree Ghosh
Mr. Farhad Imam

... .. for the petitioner

Mr. Prasun Kr. Datta .. Id. Addl. Public Prosecutor
Mr. Santanu Deb Roy

... .. for the State

1. It is submitted on behalf of the petitioner that he is in custody for about 75 days. It is further submitted there was a family dispute and victim poured acid on herself. Accordingly, he prays for bail.
2. Learned Advocate for the State produces the case diary.
3. We have considered the materials on record. Allegation of pouring acid on the body of the victim requires to be assessed from the statements of witnesses who claim that the victim tried to pour acid on herself in course of a quarrel. Investigation is complete. There is no chance of abscondence of the petitioner. Under such circumstances and in view of the period of detention suffered by the petitioner, we are of the opinion further detention of the accused/petitioner is not necessary.
4. Therefore, the accused/petitioner, namely ***Ram Prasad Samanta***, 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 Chief Judicial

Magistrate, Purba Medinipur subject to condition that the said petitioner 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.

5. 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.
6. The application for bail, thus, stands allowed.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)