

05.11.2024

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Allowed

C.R.M. (DB) No. 3439 of 2024

In Re:- An application for bail under Section 483 of BNSS in connection with Nandigram Police Station Case No. 644 of 2024 dated 22.07.2024 under Sections 126(2)/115(2)/109 of the BNSS.

In Re : Tapas Jana petitioner

Sk. Rejaul Alam
.... for the petitioner

Mr. Arani Bhattacharya
.... for the State

1. Learned Counsel for the petitioner submits he is in custody for 102 days. It is also submitted due to petty quarrel victim consumed poison. Accordingly, he prays for bail.

2. Learned Counsel for the State opposes the bail prayer.

3. We have considered the materials on record. Victim contended petitioner/husband had forced her to consume poison. However, petitioner/husband has made out a case of voluntary ingestion of poison. Victim has survived. Investigation is complete. There is no chance of abscondence. Hence, we are inclined to grant bail to the petitioner.

4. 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, Haldia, subject to condition that 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 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.

6. The application for bail is, accordingly, allowed.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)