

04. 28.01.2025
Court
No.29 (Tanmoy)

Allowed-
in-part

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION

CRM (DB) 94 of 2025

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure, 1973, in connection with **Sagardighi** Police Station Case No. **680/2023** dated **25.12.2023** under Sections **302/34** of the Indian Penal Code, 1860.

And

In the matter of: - **Peter Soren @ Piter Soren & Anr.**

...petitioners.

Mr. Phiroz Edulji, Ld. Sr. Adv.
Mr. Mrityunjay Chatterjee
Ms. Suchismita Chakraborty

...for the petitioners.

Mr. Saibal Bapuli, Ld. APP
Ms. Sreetama Das

...for the State.

Dictated by Arijit Banerjee, J.

1. Pursuant to our order dated January 20, 2025, the Medical Superintendent-cum-Vice Principal, IPGME&R-SSKM Hospital, Kolkata-700020, placed a report before learned Registrar General of this Court regarding the present health condition of the petitioner no.1, namely, Peter Soren @ Piter Soren. Let the report be kept with the records.
2. We find from the medical report that the petitioner no.1 is suffering from various ailments including high blood pressure and conditions of brain. He is 70 years of age. He is in custody for more than a year. Charge is yet to be framed. There are 28 charge-sheet named witnesses. Given the health condition of the petitioner no.1, we are of the view that it will be improper to

detain him further in judicial custody. We make it clear that we are **allowing** the prayer for bail made by the **petitioner no.1**, namely, **Peter Soren @ Piter Soren**, only on the ground of his age and ill-health and not on any other ground.

3. Learned Advocate for the petitioners does not press the application for bail on behalf of the petitioner no.2. The application for bail stands **dismissed** insofar as the **petitioner no.2**, namely, **Dhena Tudu**, is concerned,.
4. Accordingly, we direct that the **petitioner no.1**, namely, **Peter Soren @ Piter Soren**, shall be released on bail upon furnishing a bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Additional Chief Judicial Magistrate, Jangipur, Murshidabad, subject to condition that the petitioner no.1 shall appear before the Trial Court on each and every date of substantive hearing subject to the provisions of Section 317 of the Code of Criminal Procedure, 1973 / Section 355 of Bharatiya Nagarik Suraksha Sanhita, 2023, and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever.
5. In the event the petitioner no.1 fails to adhere to any of the conditions stipulated above 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 being CRM (DB) 94 of 2025 is accordingly disposed of.
7. Criminal Section is directed to supply urgent photostat certified copies of this order to the parties, if applied for, upon compliance with all requisite formalities.

(Arijit Banerjee, J.)

(Apurba Sinha Ray, J.)