

**S.C. No.99/2025 (Reg 99/2025)**

**22.05.2025**

Bail petition is taken up for hearing.

Ld. PP is present alongwith the CD. Ld. Defence counsel is also present.

Heard.

It is true that there are allegation against the accused Bhusan Gorain. The statements U/S 161 Cr.PC of that of Bhusan Gorain and Namita Gorain both accused persons are taken. Purportedly, seizure of the offending weapon had also been seized. The statement of Namita Gorain purportedly says that she had the relationship with the deceased for which her husband killed the deceased.

Besides this the ld. Advocate for the accused filed the Birth Certificate of the son of both these accused persons from which it is found that his date of birth is 23.04.2018. The first question which comes to the mind of this Court is that if there had been statement by Namita Gorain, why that was U/S 164 of Cr.PC ? The second question which comes to the mind of the Court is that the child of the accused persons is aged about 7+ years. Then what will happen to the child ?

May be or may not be the accused Bhusan Gorain had killed the deceased for that whether this Court will kill the life of the small child by keeping his father in custody for 2, 3, 5 years until the case is finally disposed of ? This Court will opt for the small bud which is yet to flower and within some years, that small child will grow to a certain extent if his father is outside the jail. Considering the small child and his future this Court thinks that bail ought to be granted to the accused for the sake of their small child.

The Ld. PP opposed the bail on the ground that bail was earlier rejected by the Ld. District Judge and the circumstances have not changed. But from the order of the Ld. District Judge, this Court had not found anything on the subject which has been discussed by this Court in this order. Opinions vary from person to person but this Court is firmly in favour of the child and thinks that for the future of the child bail ought to be granted to the accused persons which not only should be the father but the mother also because both are required for his upbringing. Accordingly, the bail application is considered.

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Hence, the accused persons namely **Bhusan Gorain** and **Namita Gorain** may find bail of **Rs.1000/-** each with one registered surety, subject to the satisfaction of Ld. Chief Judicial Magistrate, Purulia, i.d. to J.C. till 21.07.2025.

To **21.07.2025** for appearance.

Let a copy of this order be sent to the Ld. C.J.M., Purulia for information and compliance.

Dictated & Corrected by me

Sd/-

Addl. Sessions Judge  
1<sup>st</sup> Court, Purulia.

Sd/-

Addl. Sessions Judge  
1<sup>st</sup> Court, Purulia.  
(JO Code WB01242)