

12.05.2023.  
33.  
Ct.No.28  
as  
(Allowed)

**C.R.M. (DB) 1901 of 2023**

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Taherpur P.S. Case No.553 of 2022 dated 30.11.2022 under Sections 498A/323/325/313/406/506/34 of the Indian Penal Code.

In the matter of : Sabir Ali @ Sabir Ali Karikar.  
.... Petitioner.

Mr. Prabir Majumder,  
Mr. S. Majumder.  
...for the Petitioner.

Mr. Saswata Gopal Mukherji, ld. P.P.,  
Mr. Aniket Mitra,  
Ms. Jonaki Saha.  
...for the State.

Petitioner is the husband of the victim lady. It is contended co-accused are on bail. Petitioner seeks bail.

Learned Advocate for the State opposes the bail prayer.

We have considered the materials on record. There was a matrimonial dispute between the parties. Allegation of assault resulting in miscarriage is not related to the petitioner.

Keeping in mind the complicity of the petitioner in the crime and the period of detention suffered by him, we are inclined to grant bail to the petitioner.

Accordingly, the petitioner viz., Sabir Ali @ Sabir Ali Karikar shall be released on bail upon furnishing a bond of Rs.10,000/- each with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Additional Chief Judicial Magistrate, Ranaghat, Nadia subject

to condition that he 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.

In the event the 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.

The application for bail is, thus, disposed of.

**(Ajay Kumar Gupta, J.)**

**(Joymalya Bagchi, J.)**