

22.02.2024.
24.
Ct.No.28.
as
(Allowed)

C.R.M. (DB) 540 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Berhampore P.S. Case No.1322 of 2023 dated 12.09.2023 under Sections 498A/325/34 of the Indian Penal Code.

In the matter of : **Ejaz Ahamed @ Ijaj Ahammed.**

.... Petitioner.

Mr. Susnigdho Bhattacharyya.

...for the Petitioner.

Mr. Sanjib Kr. Dan.

...for the State.

1. Petitioner submits he has been falsely implicated due to a domestic dispute. Hence, he prays for bail.
2. Learned Advocate for the State opposes the bail prayer. He submits petitioner-husband had beaten the wife with an iron rod.
3. We have considered the materials on record. Petitioner is in custody for 41 days. Further detention for progress of investigation of the petitioner is not necessary.
4. Under such circumstances, we are inclined to grant bail to the petitioner.
5. Accordingly, the petitioner viz., **Ejaz Ahamed @ Ijaj Ahammed** 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 Chief Judicial Magistrate, Berhampore, Murshidabad 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.

6. 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.

7. This application for bail is, thus, disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)