

**IN THE HIGH COURT AT CALCUTTA
CIRCUIT BENCH AT JALPAIGURI**

24.01.2025.
10/tkm

C.R.M. (DB) 25 of 2025

In Re:- An application for bail under Section 483 of BNSS 2023 in connection with Jaigaon P.S case no. 204 of 2024 dated 24.9.2024 under sections 498A/313/307 IPC read with sections 3 and 4 of the DP Act

and

Allowed

In the matter of : Amir Sohel @ Amir Sohil Shah @ Amir Sohail Shah Petitioner

Mr. Hillol Saha Podder

...for the Petitioner

Mr. Ujjwal Luksom

Ms. Namrata Das

...for the State

Mr. Sourav Sarkar

Mr. Sandip Guha Roy

Mr. Ananda Paul

...for the de facto complainant

1. Petitioner is in custody for 45 days. Allegation of forcible abortion is false. He prays for bail.

2. Learned lawyer for the State opposes the prayer.

3. Learned lawyer for the de facto complainant submits victim was subjected to cruelty and driven out of her matrimonial home within one year of marriage.

4. We have considered the materials on record. Petitioner is the husband. He is in custody for 45 day. Medical report shows victim lady developed infection and miscarried. Allegation that the petitioner had administered medicine through a quack to cause miscarriage has to be assessed in light of the materials collected during investigation including

medical reports during trial. Allegations of cruelty are general and omnibus. There is no chance of abscondence.

5. Under such circumstances, we are inclined to grant bail to the petitioner.

6. Accordingly, the petitioner 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 ACJM Alipurduar on condition that the petitioner shall appear before the trial court on every date of hearing and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

7. In the event he fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel his bail automatically without reference to this court.

8. The application being CRM (DB) 25 of 2025 is disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)