

Court No.  
28  
Item 29  
ssi

16.12.  
2021

**C.R.M. 5005 of 2021**

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Chanchal Police Station case no. 474 of 2021 dated 20.06.2021 under Sections 341/323/325/313/34 of the Indian Penal Code.

In Re: Satyajit Mandal & ors..

....petitioners

Mr. Kallol Mondal

Mr. M. A. Sk

Ms. Amrita Chel

....for the petitioners

Mr. Binay Panda

Ms. Puspita Saha

...for the State

It is submitted on behalf of the petitioners that they have been falsely implicated in the instant case. Fetus in the womb of the victim died due to natural causes.

Learned lawyer appearing for the State opposes the prayer for bail and produces medical papers.

We have considered the materials on record including the medical papers. Perusal of the medical papers shows that the foetus did not show any cardiac activity and was declared death. There is nothing in the medical report with regard to forcible abortion.

In view of the aforesaid facts, we are of the opinion that this is a fit case to grant anticipatory bail to the petitioners.

Accordingly, we direct that in the event of arrest, the petitioners shall be released on bail upon furnishing a bond of Rs. 10,000/- each with two sureties of like amount each, to the satisfaction of the Arresting Officer and also subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure, 1973 and on further condition that petitioners shall meet the Investigating Officer once in a week until further orders and shall appear before the court below and pray for regular bail within four weeks from date.

The application for anticipatory bail is, thus, disposed of.

**(Bivas Pattanayak, J.)**

**(Joymalya Bagchi, J.)**