

06.07.2022
Court No.1
SL No.30
pk/AP

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

CRM(A) 309 of 2022

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Pradhan Nagar P.S. Case No.935 of 2021 dated 12.09.2021 under Sections 313/109/323/506/34 of the Indian Penal Code.

And

In the matter of: **Sanjay Kumar Mishra @ Sanjay Kr. Mishra**
....Petitioner.

Mr. Hillol Saha Podder
Ms. Mousumi Das

...for the petitioner.

Mr. Arun Kumar Sarkar
Mr. Sagnik Sankho Sikdar

...for the State.

Anticipatory bail is sought on the ground that the petitioner had forced the victim girl and her family members to perform an abortion of a child three years ago. Upon refusal of the victim to do so, the petitioner is stated to have assaulted the victim girl and her family members.

Counsel for the State opposes the prayer for anticipatory bail.

Having considered the case diary and the statement of the witnesses and having heard the counsel for the parties, this Court is of the view that the petitioner is entitled to anticipatory bail.

In the event of arrest, the petitioner shall be released on bail upon furnishing a Bond of Rs.5,000/- with two sureties of like amount each to the satisfaction of the Arresting Officer and also be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on further conditions that petitioner shall meet the investigating officer once in a week until further orders and he shall appear before the court below and pray for regular bail within a fortnight from date.

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

(Rajasekhar Mantha, J.)

(Ananda Kumar Mukherjee, J.)