

49 25.04.2023
(AD) Court No.29
(Dismissed)

C.R.M. 5937 of 2021

In Re: - An application for cancellation of anticipatory bail under
Section 439(2) of the Code of Criminal Procedure, 1973.
And

In the matter of: - Mst. Ferdousi Begam
...petitioner.

Mr. U.A. Dewan
Mr. Asif Dewan
... for the petitioner.

Order dated June 23, 2021 granting anticipatory bail by the
learned Sessions Judge to the private opposite party is under
challenge in the present application.

The private opposite party was initially enlarged on interim
anticipatory bail which was subsequently confirmed by the
impugned order. By the impugned order, the learned Sessions
Judge, held that there was no documentary evidence that there
was any forcible or medically induced abortion caused by the
private opposite party upon the victim lady.

Petitioner relies upon a medical document to suggest that the
petitioner underwent an abortion.

The petitioner may or may not have undergone an abortion.
However, the issue considered by the learned Sessions Judge while
granting anticipatory bail was whether the private opposite party
forcibly induced the petitioner to undergo the abortion.

We are not in a position to return a finding that the impugned
order is perverse or is not attended by adequate reasons.

Consequently, we find no ground to interfere with the impugned
order.

C.R.M. 5937 of 2021 is dismissed.

(Debangsu Basak, J.)

(Rai Chattopadhyay, J.)

