

09.08.2023
SL. 13
Court No. 29
Suvayan
(Allowed)

C.R.M. (A) 2838 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Barasat** Police Station Case No. **330 of 2023** dated **01.05.2023** under Sections **498A/313** of the IPC.

And

In the matter of: **Subhro Majumdar @ Subhra Majumdar @ Subhra Majumder @ Subhora Majumder**
....petitioner.

Mr. Kallol Mondal
Mr. Krishan Ray
Mr. Souvik Das
Mr. Anamitra banerjee

...for the petitioner.

Ms. Sreeparna Das

...for the State.

Mr. Angshuman Chakraborty

...for the de facto complainant.

1. Heard learned Counsel for both the parties.
2. Considered the materials placed by them including the statement of the witnesses and the doctor who had examined the victim on 08.12.2020. It is stated by the aforesaid doctor that on that day the victim had come to her and said that she has taken contraceptive pill for abortion when she is carrying for three months and now profusely bleeding. The aforesaid doctor treated her. Now allegation is made that the aforesaid abortion was done on being forced by the husband.
3. Regard being had to such facts and submissions, factum of permanent residence of the petitioner, nature of allegation, nature of offence, nature of evidence, the fact that there is always hope of compromise in matrimonial disputes and such compromise is always in the interest of the family and society and substantial progress in investigation, it is directed that the petitioner shall be released on bail by the Arresting Officer

in the event of his arrest in the aforesaid P.S. case on such terms and conditions as deemed just and proper in the facts and circumstances of the case including the conditions that:

- i) The petitioner is directed to appear before the I.O. once in a fortnight on the day and time fixed by the I.O. for the purpose of investigation till submission of F.F.
 - ii) The petitioner shall not threaten, induce or coerce any witness of this case in any manner whatsoever during the currency of this order.
4. The concerned Arresting Officer is hereby directed to act upon the server copy of this order.
 5. Within 21 days from today the petitioner shall appear before the I.O. alongwith a server copy/certified copy of this order. If server copy is supplied, learned I.O. shall act upon that.
 6. Accordingly, the prayer for the anticipatory bail is allowed.
 7. The application being **CRM (A) 2838 of 2023** is disposed of.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

