

30.08.2023
SL. 58
Court No. 29
Suvayan
(Allowed)

C.R.M. (A) 3507 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Contai Women** Police Station Case No. **70 of 2023** dated **23.07.2023** under Sections **313/120B** of the IPC.

And

In the matter of: **Sk. Moglesur Rahaman**

....petitioner.

Mr. Souvik Mitter
Mr. Angshuman Chakraborty
Mr. S. S. Saha

...for the petitioner.

Mr. Atif Ahmed Siddiqui

...for the State.

1. Heard learned Counsel for both the parties.
2. The present petitioner is admittedly the owner of the nursing home, in which termination of pregnancy of a minor girl conceived through marriage according to their religious rites was undertaken.
3. Learned Counsel for the State though admit such position submits that the petitioner had not renewed the license of the nursing home.
4. Taking into consideration the purview of our enquiry in the present case, we are not on the issue of renewal or non-renewal of license of the nursing home.
5. Regard being had to such facts and submissions, factum of permanent residence of the petitioner, nature of allegation 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.
6. The concerned Arresting Officer is hereby directed to act upon

the server copy of this order.

7. 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.
8. Accordingly, the prayer for the anticipatory bail is allowed.
9. The application being **CRM (A) 3507 of 2023** is disposed of.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

