

30.08.2023

SL. 80

Court No. 29

Sourav

(Allowed)

C.R.M. (A) 3529 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Mahisadal** Police Station Case No. **201** of **2023** dated **08.04.2023** under Sections **313/323/34/341/447/506** IPC (corresponding to G.R. Case No. 1041 of 2023).

And

In the matter of: **Deba Prasad Sahoo @ Debu @ Debu Sau & Ors.**

....petitioners.

Mr. Suman De
Mr. Abhinaba Mukherjee

...for the petitioners.

Mr. Shiladitya Banerjee

... for the State.

1. Heard learned Counsel for the parties.
2. Learned Counsel for the petitioners does not want to press this petition for anticipatory bail in respect of petitioner no. 1 (Deba Prasad Sahoo @ Debu @ Debu Sau).
3. Accordingly, this petition in respect of petitioner no. 1 is dismissed as not pressed.
4. So far as other petitioners are concerned, it is fairly submitted by learned Counsel for the State that Deba Prasad Sahoo @ Debu @ Debu Sau and another Shibaprasad who has been released on regular bail are alleged to have assaulted the victim by kick and fist blows causing her miscarriage.
5. In view of such specific allegation against two of the co-accused persons without any specific allegation against the petitioner nos. 2 and 3, it is directed that the petitioner nos. 2 and 3 shall surrender before the learned Additional Chief Judicial Magistrate II, Haldia in G.R. Case No. 1041 of 2023

arising out of the aforesaid P.S. case within 15 days from today. On their appearance and application for bail the petitioner nos. 2 and 3 shall be released on bail on such terms and conditions as deemed just and proper in the facts and circumstances of the case.

6. Accordingly, the prayer for the anticipatory bail is allowed.
7. The application being **CRM (A) 3529 of 2023** is disposed of.
8. Learned Additional Chief Judicial Magistrate II, Haldia is hereby directed to act upon the server copy of this order, if required.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

