

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 3632 OF 2022**

Risu Harishchandra Yadav

...Applicant

Versus

The State of Maharashtra

...Respondent

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Mr. Shubradeep Banerjee a/w Mr. A.R. Sawant a/w Mr. Vinod Thekkara
for the Applicant.

Ms Veera Shinde, APP for the State.

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CORAM : N.R. BORKAR, J.

DATED : 30 JANUARY 2023

P.C. :-

This is an application under Section 438 of the Code of Criminal Procedure, 1973 for anticipatory bail.

2. The applicant is apprehending his arrest in Crime No. 117 of 2022 registered at M.I.D.C. Police Station, Raigad for the offence punishable under Sections 313, 308 read with 34 of Indian Penal Code.

3. According to the prosecution, the complainant, who is the wife of the accused No. 1 in the present crime was pregnant. It is alleged that the accused No. 1 made her to undergo sex determination test as they were having two daughters. It is alleged that the accused No. 1 then made her to abort her pregnancy.

4. According to the prosecution, the alleged abortion was done by co-accused Dr. Kendre. It is alleged that the applicant was working in the hospital of Dr. Kendre.

5. The complainant has not attributed any overact to the present applicant. In absence of it, I am inclined to release the applicant on anticipatory bail. Hence, the following order passed:

- (i) Application is allowed.
- (ii) In the event of arrest of the applicant- Risu Harishchandra Yadav in Crime No. 117 of 2022 registered at M.I.D.C. Police Station, Raigad for the offence punishable under Sections 313, 308 read with 34 of Indian Penal Code, she shall be released on bail on furnishing PR bond in sum of Rs. 15,000/- with one surety in the like amount.

(N.R. BORKAR, J.)