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CRM 3828 of 2021

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Manicktala P.S Case No. 28 of 2021 dated 27.02.2021 under Sections 120B/420/467/468/471 of the Indian Penal Code.

In the matter of: Chanchal Nandi

Mr. Sourav Chatterjee
Mr. Shakti Halder For the Petitioner

Mr. Saswata Gopal Mukherjee, Ld.PP
Mr. Madhusudan Sur, Ld. APP
Mr. Dipankar Pramanick For the State

Learned counsel appearing for the petitioner submits that the petitioner has filed a writ application being WPA 10753 of 2021 challenging the F.I.R registered in Manicktala police station pursuant to a complaint dated 27th February, 2021 filed by one Sujit De. In the said writ application there is an order passed by a learned single Judge restraining the investigating authority from taking any coercive action against the petitioner without the leave of the learned single judge.

In view thereof, learned counsel representing the petitioner submits that this application for anticipatory bail has become infructuous.

Learned counsel appearing for the State opposes the prayer for anticipatory bail but having regard to the submission of Mr. Chatterjee, the learned counsel appearing for the State does not oppose such submission.

The learned Single Judge held in the said writ application being WPA 10753 of 2021 that “ *the matter shall be considered after receiving affidavits. However, given the nature of allegations and the motives attributed to proceedings, this Court is of the view that it would be, in the interest of justice, to order that the investigation into the FIR against the*

petitioner may go on but no coercive action should be taken against the petitioner without the leave of this Court.”

In view of the above order, we are of the opinion that the petitioner is adequately protected and this application for anticipatory bail has become infructuous and accordingly stand dismissed as infructuous.

We make it clear that we have not gone into the merit of the case.

CRM 3825 of 2021 is thus dismissed as infructuous.

(Rabindranath Samanta,J)

(Soumen Sen,J.)