

35
SK/AJ
Ct. No. 08
17.06.2021

(Via Video Conference)
W.P.A. No. 10568 of 2021

Kismat Gazi
Vs.
The State of West Bengal & Ors.

Mr. Mohinoor Rahaman,
Mr. Shahan Shah,
Mr. Tanweer J. Mandal ... For the petitioner.

Mr. Rabindra Narayan Dutta,
Mr. Sibasis Ghosh,
Sk. Afazuddin,
Mr. Ardhendu Nag... For the respondent nos. 6 to 12.

Mr. Ansar Mondal,
Mr. Sougata Mitra ... For the State.

The petitioner complains of police inaction.

Learned advocate appearing for the petitioner submits that the petitioner is in the business of pisi culture where the private respondents are preventing the petitioner for carrying on such business. Complain to the police did not evoke any response.

Learned advocate appearing for the State submits a report, which is taken on record.

The report states that there is a criminal case pending as against the petitioner and that the petitioner is absconding. The report also states that so far as the complaint of the petitioner is concerned, the police enquired into the same and prosecution under Section 107 of the Code of Criminal Procedure was submitted.

Learned advocate appearing for the petitioner submits that so far as the criminal case as against the petitioner is concerned, the petitioner surrendered and obtained bail. He seeks police protection so far as the business of the petitioner is concerned at his own costs.

In such circumstances, the petitioner is at liberty to apply for police picket before the police authorities. Upon such application being made the police authorities are at liberty to decide the same in accordance with law.

Needless to say, in the event the police authorities allow the posting of police picket on the application of the petitioner, costs, charges and expenses thereof shall be paid by the petitioner.

Since the police acted on the basis of the police complaint as noted above no further interference is called for.

W.P.A. 10568 of 2021 is disposed of accordingly.

The parties shall act in terms of the copy of the order downloaded from the official website of this Court.

(Debangsu Basak, J.)