

27.09.2021
Serial no.46 & 47
Dd

(Through Video Conference)

CRM 72 of 2021
With
CRM 4800 of 2021

In re : An Applications for cancellation of bail under Section 439(2) of the Code of Criminal Procedure.

-And-

In the matter of : Netai Das

... ..Petitioner

Mr. Shibaji Kumar Das,
Mr. Satyabrata Mondal,
Ms. Rupsa Sreemani, Advocates
... .. For the Petitioner in both applications

Mr. Narayan Prasad Agarwala
Ms. Subhasree Patel, Advocates
... ..For the State in CRM 72 of 2021

Mr. Rana Mukherjee, Id. APP
Ms. Sujata Das,
... ..For the State in CRM 4800 of 2021

Mr. Souvik Mitter
Mr. Sumanta Das, advocates
.. ...For the OP no. 2 in CRM 72 of 2021

Mr. Debasis Kar
Mr. Arindam Jana,
Mr. Arif Mondal, advocates
.. ...for the OP no. 2 in CRM 4800 of 2021

Affidavit on behalf of Gopal Chandra Ghosh filed in court be taken on record.

Learned advocate appearing for the Gopal Chandra Ghosh seeks mercy of this court for his client. He submits that his client tenders unqualified apology for suppressing the material fact of rejection of his application for bail by the High

Court before the jurisdictional court while obtaining bail from the jurisdictional Court.

Learned advocate appearing for Bishal Singha submits that his client will not repeat the alleged incident. He submits that the court may be pleased to direct his client not to enter into the jurisdiction of the police station where the complaint was lodged save and except for the purpose of attending Court.

State and the applicants are represented.

Considering the contents of the affidavit and considering the fact that Gopal Chandra Ghosh obtained an order granting him bail from the jurisdictional Court subsequent to the rejection of the application for bail by the High Court by suppressing such order of rejection from the jurisdictional Court, we cancel the bail granted in favour of Gopal Chandra Ghosh.

Learned advocate appearing for the State submits that Gopal Chandra Ghosh is present in court along with the Investigating Officer as per the earlier direction of this court.

In view of the cancellation of bail of Gopal Chandra Ghosh police will take necessary steps to take him into custody forthwith.

So far Bishal Singha is concerned, there is a report of the police to the effect that he abused the petitioner subsequent to the bail. It would be appropriate to restrain Bishal Singha from entering into the jurisdiction of the local police station where the complaint was lodged save and except for the purpose of reporting to the Investigating Officer of the case or attending the court on the dates of hearing.

Both the applications are disposed of.

(Debangsu Basak, J.)

(Ananda Kumar Mukherjee, J.)