

15.09.2021.
Item No. 179.
Court No.13
ap

**W.P.A. No. 14094 of 2021
(Through Video Conference)**

**Mainak Sen
Versus
The State of West Bengal & Ors.**

Mr. Uday Sankar Chattopadhyay,
Mr. Rabi Sankar Chattopadhyay,
Mr. Suman Sankar Chattopadhyay,
Mr. Pronay Basak.

...For the petitioner.

Mr. Jishnu Chowdhury,
Ms. Amrita Panja Moulick.

...For the State.

The writ petitioner complains that his vehicle along with cooling machines and ten wheelers truck were seized under the Police Act. The petitioner was called to the Nalhati Police Station area where he went along with his Lawyer but was assaulted and threatened. The petitioner ran from his life there from.

Counsel for the State, Mr. Chowdhury, in his all fairness submits that while it may be true that there is some private dispute between the petitioner and certain parties, the police shall provide full protection to the petitioner to retrieve his vehicle after complying with all formalities of Section 451 of the Code of Criminal Procedure.

In that view of the matter, the petitioner along with his men and helpers, may visit Nalhati Police Station by day after tomorrow when sufficient

protection shall be granted to the petitioner by the said Nalhati Police Station. The vehicle along with the cooling machines shall be brought back to the jurisdiction of the Judicial Magistrate, Rampurhat at the cost of the writ petitioner.

The learned Judicial Magistrate after complying with due formalities shall take steps in accordance with Section 451 of the Code of Criminal Procedure and pass appropriate orders thereon within a week thereafter.

It shall be ensured by the Nalhati P.S. that the writ petitioner is not harmed in any way until he reaches Rampurhat along with his vehicles.

With the aforesaid directions, the instant writ petition shall stand disposed of.

There will be no order as to costs.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)