14.09.2021
Item No.174
Ct.No.34
AD

IN THE HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURISDICTION

CRR 1411 of 2020
With
IA No.: CRAN 2 of 2021
(Via Video Conference)

Poritosh Ghosh @ Patitosh Ghosh & Ors.
versus
The State of West Bengal & Anr.

In Re: An Application under Section 482 of the Code of Criminal Procedure, 1973.

Mr. Supratik Syamal
... for the petitioners.
Mr. Madhusudan Sur, Ld. APP
Mr. Dipankar Paramanick
... for the State.
Mr. Soumyajit Das Mahapatra
... for the opposite party no.2.

I have perused the order passed by the learned Sessions Judge cancelling the bail by setting aside the order passed by the learned Magistrate on 16th October, 2019 in connection with Domkal Police Station Case No.765/2019 dated October 10, 2019 under Sections 341/326/354/307/34 of the Indian Penal Code.

The learned Sessions Judge while cancelling the bail has recorded the order passed by the learned Magistrate. Records reflect that the learned Magistrate did not call for the case diary as to what materials were collected in course of investigation and on the basis of the FIR, passed the order when the accused persons surrendered before the Court.

The learned Sessions Court rightly held that the order passed by the learned Magistrate is devoid of any reasons in heinous offence under Section 307 of the Code of Criminal Procedure.

Having regard to the reasons assigned by the learned Sessions Court while cancelling the bail granted by the learned Magistrate, I find that the same were substantiated by reasons and the perverse order so passed by the learned Magistrate was set aside.

Considering the findings of the learned Sessions Court in its order dated 20th February, 2020, I do not find any illegality in the impugned order and as such, the revisional application do not call for any interference.

Thus, CRR 1411 of 2020 is dismissed.

Interim order, if any, stands vacated.

All pending connected applications, if any, are consequently disposed of.

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

(Tirthankar Ghosh, J.)