

25.03.2022

Sl. No. 10

Srimanta

Ct.No.42

CRM (SB)/12/2022

(Via Video Conference)

In Re : An application for cancellation of bail under Section **439(2)** of the Code of Criminal Procedure, 1973.

In the matter of : **Bharati Das**

...petitioner.

Mr. Sabir Ahmed, Adv.,
Mr. Sandip Kumar Mondal, Adv.,
Mr. Mujib Ali Naskar, Adv.,
Mr. Hillol Saha Poddar, Adv.

...for the petitioner.

Mr. Binoy Panda, Adv.,
Mr. Subham Bhakat, Adv.

...for the State.

Mr. Ahmed in his usual fairness submits that the instant application is not maintainable because the opposite parties got anticipatory bail from the Learned Sessions Court in Criminal Misc. Case No. 6842/2021 dated 3rd January, 2022. After getting anticipatory bail, they surrendered before the Court of the Learned Magistrate and got regular bail. So, the instant application for cancellation of bail is not maintainable. Therefore, Mr. Ahmed does not press the instant application.

Accordingly, the application for cancellation of bail is dismissed being not pressed by the Learned Advocate for the petitioner. The *de facto* complainant is permitted to withdraw the instant application. The instant application is, thus, **dismissed** as withdrawn.

The *de facto* complainant is at liberty to take back the certified copy of the impugned order from the record replacing the same with a photostat copy of the order.

(Bibek Chaudhuri, J.)