

15.02.2022

Sl. 110
Court No.29
Suvayan
(Rejected)

CRM (DB) 279 of 2022

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

And

In the matter of: Md. Pintu

....petitioner.

Mr. Shataroop Purkayastha

Ms. Jagriti Bhattacharya

... for the petitioner.

Mr. Ashok Das

Md. Abid Jamal

...for the opposite party nos.2 to 4.

Ms. Sujata Das

...for the State.

Petitioner seeks cancellation of bail granted by the
jurisdictional Court on January 10, 2022.

Learned Advocate appearing for the petitioner submits that
the initially an interim bail was granted by the jurisdictional Court
on the ground that the injury reports were not in the case diary.
Subsequently on January 10, 2020, when the interim bail
confirmed, the learned Court did not consider the injury report.
He submits that subsequent to the bail be granted, the private
opposite parties attacked again and caused serious injury.

State and the private opposite parties are represented.

Learned Advocate appearing for the private opposite party
submits his client is not willing to file any affidavit.

Initially, the jurisdictional Court granted interim bail in
favour of the private opposite parties. Thereafter, such interim bail
was confirmed by the order dated January 10, 2022. The order of
confirmation of interim bail records that the jurisdictional Court

considers the materials in the case diary, including the fact that there was no adverse report against the private opposite parties and the injury reports showing the nature of injury.

The jurisdictional Court returns finding that the injury report shows that the nature of injury was simple. In such circumstances the jurisdictional Court confirmed the interim order of bail. We find no infirmity in the jurisdictional Court in doing so.

There is no material on record to establish that the petitioner suffered any injury subsequent to the order of granting bail at the instance of the private opposite parties. There is no injury report to corroborate such contention of the learned Advocate for the petitioner, on record.

Consequently, we find no reason to cancel the bail granted to the private opposite parties.

Accordingly, CRM (DB) 279 of 2022, is rejected.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)

