

25.04.2022
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Ct. No. 29
KAUSHIK
DISMISSED

C.R.M. (DB) 525 of 2022

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

And

In Re : Saharaf Mondal

..... petitioner

Ms. Sibangi Chattopadhyay

....for the petitioner

Mr. Prasun Kumar Dutta

Mr. Nirupam Dhali

....for the State

Petitioner prays for cancellation of the bail.

State is represented.

None appears for the private opposite party despite service. Affidavit of service filed in Court be taken on record.

Learned advocate appearing for the petitioner submits that, the learned Judge failed to take into consideration that a writ petition complaining of police inaction pending before the Hon'ble High Court. Moreover, the petitioner is under threat of life and property.

So far as the writ petition is concerned, no doubt, the same will be dealt with by the Court, before which it is pending.

The learned Judge proceeded to consider the case diary and the Lower Court records and on finding that the victim did

not suffer any external injury and the materials in the case diary proceeded to grant anticipatory bail to the petitioner.

In such circumstances, we find no material irregularity on the order dated February 8, 2022 granting anticipatory bail to the petitioner by the learned Sessions Judge calling for our interference.

In such circumstances, CRM (DB) 525 of 2022 is dismissed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)