

07.04.2022.  
Court No.13  
Item No. 22  
ap

**W.P.A. No. 3908 of 2022**

**Piru Majhi  
Versus  
The State of West Bengal & Ors.**

Mr. Uday Sankar Chattopadhyay,  
Mr. Santanu Maji.

...For the petitioner.

Ms. Chama Mookherji,  
Mr. Gourav Das.

...For the State.

Affidavit-of-service filed in Court today be taken  
on record.

The writ petitioner is an accused under Section  
302 of the Indian Penal Code in Burdwan Police  
Station Charge-Sheet No. 815 of 2021 dated 7<sup>th</sup>  
September, 2021.

It is submitted that the petitioner and his family  
members are unable to return to their residence, due  
to pressure from the local people, who are holding a  
grudge against them following the murder incident.

Burdwan Police Station has submitted a report  
in the form of instructions to the learned State  
Advocate, indicating that there is likelihood of severe  
law and order problem and/or breach of peace in the  
event the petitioner or his family members return to  
the locality. The said instructions dated 6<sup>th</sup> March,  
2022 addressed to the State Advocate be taken on  
record.

Since the petitioner has been granted bail, he is otherwise entitled to enter into his property. However, Burdwan Police Station is required to ensure that there is no law and order situation and/or breach of peace in the area.

In that view of the matter, the Superintendent of Police, Purba Bardhaman shall assess the likelihood of law and order crisis, in the event the petitioner or his family return to their residence.

If it is found that the situation can be managed, bearing in mind the petitioner is on bail, appropriate steps may be taken to ensure that the petitioner is able to return to his residence. The petitioner shall strictly co-operate with the Burdwan Police Station in this regard.

Let the aforesaid consideration be effected by the Superintendent of Police, Purba Bardhaman, within a period of three weeks from the date of communication of a copy of this order.

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

There will be no order as to costs.

All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

***(Rajasekhar Mantha, J.)***

