

C.R.M. (DB) 674 of 2022

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

And

In the matter of: - Arif Mohammad Sekh alias Arif Mohammad Sk
...petitioner.

Mr. Aniruddha Bhattacharyya

Mr. Indranuj Dutta

Mr. Asmanur Quail

Mr. Rahul Ghosal

Mr. Bikram Basak

... for the petitioner.

Mr. Zareen N. Khan

Md. Kutub Uddin

... for the State.

Mr. Kalyan Kumar Bhattacharjee

... for the opposite party nos.2 and 3.

Petitioner seeks cancellation of bail granted on January 23, 2022 by the jurisdictional Court.

Learned Advocate appearing for the petitioner submits that the learned Judge failed to take into account the nature of injuries suffered by the victim and in returning a finding that there was no material to attract Section 326 of the Indian Penal Code. He refers to the injury report of the victim.

State and the private opposite parties are represented.

Learned Advocate appearing for the State draws the attention of the Court to the materials in the case diary and to the injury report of the victim. He submits that the police submitted charge sheet on March 31, 2022. The order of bail is dated January 23, 2022.

In the order granting the bail, the learned Judge took into account the injury report and exercised the judicial discretion in granting bail to the private opposite parties.

We have perused the injury report of the victim. We do not find any material irregularity in the order of the jurisdictional Court granting bail to the accused warranting interference by us.

Accordingly, the prayer for cancellation of bail is rejected.

C.R.M. (DB) 674 of 2022 is dismissed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)