

11.04.2022
Serial no.84
Dd

CRM (DB) 701 of 2022

In re : An Application under Section 439(2) read with Section 482 of the Code of Criminal Procedure, 1973.

-And-

In the matter of : Debasish Naskar
... ...Petitioner

Mr. Sandipan Das
Mr. Ankur Sharma, Advocate
... ... For the Petitioner

Mr. Swapan Banerjee,
Mr. Anindya Sundar Chatterjee, Advocates
... ...For the State

Mr. Soumya Basu Roy Chowdhuri, advocate
.. ...For the OP nos. 2 to 5

Petitioner seeks cancellation of the order of bail granted by the Sessions Court on September 6, 2021.

Learned advocate appearing for the petitioner submits that the petitioner is unable to return to his home. Moreover, the nature of injury suffered by the petitioner is grievous and, therefore, the learned Sessions Court erred in granting bail noting that the victim suffered simple injury.

State and the private opposite parties are represented.

So far as the contention of ouster of the petitioner from home is concerned, the petitioner is to take appropriate steps as regards thereto.

The order dated September 6, 2021 by which, the learned Sessions Judge granted bail to the opposite parties, the learned Sessions Judge took into consideration the nature of injury suffered by the victim.

The medical report of the victim categorically states that the injury is simple.

In the circumstances, there is no material irregularity in the order dated September 6, 2021 requiring interference of this High Court under Section 439(2) of the Code of Criminal Procedure, 1973.

CRM (DB) 701 of 2022 is, therefore, dismissed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)