

11.04.2022
Serial no.85
Dd

CRM (DB) 702 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, Advocates
... .. For the Petitioner

Mr. Swapan Banerjee,
Mr. Suman De, Advocates
... ..For the State

Petitioner seeks cancellation of the order of bail granted by the learned Chief Judicial Magistrate, Howrah on August 18, 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 Chief Judicial Magistrate, Howrah erred in granting bail noting that the victim suffered simple injury.

State is 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 August 18, 2021 by which, the learned Chief Judicial Magistrate, Howrah granted bail to the

opposite parties, the learned Chief Judicial Magistrate 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 August 18, 2021 requiring interference of this High Court under Section 439(2) of the Code of Criminal Procedure, 1973.

CRM (DB) 702 of 2022 is, therefore, dismissed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)