

13.04.2022
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Ct. No. 29
KAUSHIK
DISMISSED

C.R.M. (DB) 864 of 2022

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

And

In Re : Abu Bakkar Mondal

..... petitioner

Mr. Joy Chakraborty

Mr. Sandip Dinda

....for the petitioner

Mr. Joydeep Roy

Ms. Sutapa Banerjee

....for the State

Petitioner seeks cancellation of the bail granted by the order dated February 14, 2022 passed by the learned Sessions Judge.

Learned advocate appearing for the petitioner submits that, the order granting bail does not reflect that prayer for bail was rejected earlier. Moreover, the petitioner is facing threat subsequent to the order granting bail.

State is represented.

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

The order dated February 14, 2022 passed by the learned Sessions Judge considers the prayer for bail of the private

opposite party and allows it. The order contains reasons for allowing the prayer for bail.

The order silent so far as the earlier rejection for prayer for bail is concerned. Simply because the order is silent on such score, it cannot be said that the private opposite party committed suppression of fact. The petition for bail is not before us.

So far as the subsequent conduct of the private opposite party is concerned, the petitioner is at liberty to take appropriate steps with regard thereto.

In such circumstances, we find no merit in the order dated February 14, 2022 passed by the Sessions Judge requiring cancellation of the bail granted.

CRM (DB) 864 of 2022 is dismissed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)