

75 28.07.2022
(b.das)
Court No.29

C.R.M. (DB) 926 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: - Raya Dutta (Sen) @ Raya Sen Datta
...petitioner.

Mr. Souvik Mitter

... for the petitioner.

Mr. S.G. Mukherjee, Ld. PP.

Mr. Rudradipta Nandy

Ms. Sonali Das

...for the State.

Mr. Ujjal Ray

Mr. Ivan Ray

... for the private opposite party.

Petitioner seeks cancellation of Order No.2 dated December 13, 2021 passed in criminal case No.2661 of 2021.

The State and private opposite party are represented.

Learned Advocate appearing for the petitioner submits that the learned Judge did not prescribe any conditions in the grant of anticipatory bail. According to him the impugned order is perverse.

It appears from the impugned order that it did not prescribe any condition for grant of anticipatory bail, apart from directing the private opposite party to be released on bail upon furnishing of bond and the condition stipulated under Section 438(2) of the Criminal Procedure Code.

The police are yet to submit the charge-sheet.

In such circumstances, since the police is yet to conclude the investigations, the impugned order dated December 13, 2021 is modified to the extent that the opposite party Nos.2, 5 and 7 will

report before the Investigating Officer once a fortnight till conclusion of the proceedings and opposite party Nos.3, 4 and 6 will co-operate with the investigation.

CRM (DB) 926 of 2022 is disposed of accordingly.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)