

04.07.2022
Serial no.58
Aloke

CRM (DB) 1007 of 2022

In the matter of : **Madhu Singh**

... .. Petitioner

Mr. Sandip Chakraborty, Advocate
Mr. Ravi Kr. Dubey, Advocate

... .. For the Petitioner

Mr. Prasun Kr. Datta, Id. APP
Mr. Subrata Roy, Advocate
Mr. Nirupam Dhali, Advocate

... ...For the State

Mr. Sabyasachi Banerjee, Advocate
Mr. Ajitesh Pandey, Advocate
Mr. Nahid Ahmed, Advocate

... .. For the respondent nos. 2 and 3

Affidavit-of-service filed in Court be taken on record.

Petitioner prays for cancellation of the Order No. 2 dated February 21, 2022 passed by the learned Sessions Judge in Criminal Misc. Case No. 669 of 2022.

Learned Advocate appearing for the petitioner submits that the learned Judge without considering the materials in the case diary found an incorrect opinion and thereafter proceeded to grant anticipatory bail. On the basis of the order of anticipatory bail the other co-accused was enlarged on bail by the jurisdictional Court.

Learned Advocate appearing for the petitioner submits that the private opposite parties are guilty of post bail misconduct. In support of such contention he refers to a general diary and submits that a specific case was lodged as against the private opposite parties. A complaint referred to as dated March 5, 2022 and the investigation with regard to such complaint is yet to be completed.

State and the private opposite parties are represented.

By the Order No. 2 dated February 21, 2022, the learned Court granted anticipatory bail to the private opposite

parties. Considering the materials in the case diary and the fact that the name of the private opposite parties as transpired from the statement of the arrested accused.

The learned Judge also took into consideration the nature of the offence involved and found that the detention of the private opposite parties are not required for the purpose of investigation.

The nature of allegations as against the private opposite parties, materials in the case diary does not satisfy that custodial interrogation of any of the private opposite parties are required.

In such circumstances, we find no material irregularity in the impugned order.

CRM (DB) 1007 of 2022 is rejected.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)