

107 20.06.2022
(AD)

Court No.29

(Dismissed)

C.R.M. (DB) 1298 of 2022

In Re: - An application under Section 2 of Section 439 of the Code of Criminal Procedure, 1973.

And

In the matter of: - Shweta Bhattacharjee

...petitioner.

Mr. Mayukh Mukherjee
Mr. Abhijit Singh
Mr. Shakti Halder
Mr. Sarthak Mondal

... for the Petitioner.

Mr. Bidyut Kumar oy
Ms. Rita Dutta

... for the State.

Petitioner seeks cancellation of the order granting anticipatory bail by the learned Sessions Judge in CMC No.233 of 2022.

Learned Advocate appearing for the petitioner submits that the private opposite party suppressed the order dated January 18, 2022 passed in WPA 18187 of 2021.

Learned Advocate appearing for the State refers to the case diary.

A writ petition complaining of police inaction was filed by the petitioner being WPA 18187 of 2021 which was disposed of by an order dated January 18, 2022. By the order dated January 18, 2022, the Writ Court directed completion of the investigations within a month. The Writ Court observed that the police must initiate steps for the purpose of attendance of the accused in the investigation, *inter alia*, in the nature of arrest, attachment and

proclamation. It observed that, orders of arrest being communicated to the Army would yield quick results.

Thereafter, the private opposite party approached the Sessions Court for the purpose of obtaining anticipatory bail which was granted.

The petitioner before us is unable to substantiate that the order dated January 18, 2022 passed in the writ petition was served upon the private opposite party. The learned Sessions Judge passing the order of anticipatory bail took into account the case diary and proceeded to grant anticipatory bail. The learned Judge ascribed cogent reasons for grant of the same.

In such circumstances, we find no ground to interfere with such order.

C.R.M. (DB) 1298 of 2022 is dismissed with no order as to costs.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)

