

11.03.2022

Sl. 59
Court No.29
Suvayan

CRM 5720 of 2021

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

And

In the matter of: Mahammad Khairul Amin

....petitioner.

Mr. Navanil De
Ms. Ayantika Roy
Mr. Rajeshwar Chakraborty
Mr. Subhrajit Dey

... for the petitioner.

Mr. Neguive Ahmed, Ld. APP
Ms. Trina Mitra

...for the State

Mr. Soumajit Das Mahapatra
Mr. Ali Ahsan Alamgir
Ms. Rabia Khatoon

...for the opposite party

Petitioner seeks cancellation of bail.

Learned Advocate appearing for the petitioner highlights the post bail conduct of the petitioner. He submits that the private opposite parties threatened the petitioner. The petitioner lodged a police complaint on March 22, 2021. Such police complaint subsequently resulted in a charge-sheet against the private opposite party. Consequently, the bail granted should be cancelled.

Learned Advocate appearing for the private opposite parties submits that the application for cancellation was affirmed on August 23, 2021. The same was filed on August 26, 2021. The police complaint is of March 22, 2021. The petitioner did not take the ground of post bail conduct in the petition for cancellation. The propriety of the order granting bail is under challenge in the present petition.

The State is represented.

There is substance in the contentions of the private opposite parties in the facts of the present case. The present petition is directed solely towards propriety of the order granting bail to the private opposite parties.

The Sessions Court by the order dated March 15, 2021 granted bail to the private opposite parties considering the period of detention of the private opposite parties and the fact that the police filed charge-sheet.

There is no material irregularity in the order granting bail to the private opposite parties warranting any interference. The post bail conduct is not under consideration in the present application for cancellation.

In such circumstances, we are unable to grant any relief to the petitioner.

Consequently, C.R.M. 5720 of 2021 is dismissed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)