

23.09.2022
(KC6)

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION

C.R.M. (DB) 2374 of 2022

In Re:- An application for cancellation of bail under Section 439(2) of the Code of Criminal Procedure, 1973.

In the Matter of : Subrata Basu

.....petitioner.

Mr. Saurabh Guhathakurata,
Mr. Bikash Kumar Roy,
Ms. Tanuka Basu,
Ms. Nilanjana Sarkar

...for the petitioner.

Mr. Soumyajit Das Mahapatra,
Mr. Soumya Basu Roy Chowdhury

...for the opposite
parties no. 2 and 3.

This is an application for cancellation of interim bail.

We have heard learned counsel for the parties.

On consideration of the materials on record and arguments of learned counsel, we direct the learned Chief Judicial Magistrate, South 24-Parganas at Alipore to hear out the application for bail within eight weeks of communication of this order, without taking the accused in custody and after detailed consideration of the case diary. The alleged lack of jurisdiction of the learned Magistrate to hear the application, as raised by learned counsel for the petitioner in this application, is kept open to be considered

by the learned Magistrate. He is to take a decision in this matter before proceeding to hear the bail application.

This application [CRM(DB) 2374 of 2022] is disposed of.

(I.P. MUKERJI, J.)

(BISWAROOP CHOWDHURY, J.)