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03.01.2022
(suvayan)
Court No.29
(Dismissed)

C.R.M. 6687 of 2021
(Via Video Conference)

In Re: - An application for cancellation of bail under Section 439
(2) read with Section 482 of the Code of Criminal Procedure.
And

In the matter of: CJ DARCL LOGISTICS LTD.

....petitioner.

Mr. Suman Ganguly
Mr. Aniruddha Bhattacharyya

...for the petitioner.

Mr. Ranabir Roy Choudhury
Mr. Rudradipta Nandy

...for the State.

Petitioner seeks cancellation of bail granted by the order
dated September 4, 2021 by the jurisdictional court.

Learned Advocate appearing for the petitioner submits
that the order granting bail is perverse. It was granted on the
basis of a put up petition on which, the accused claimed that
the father of the accused was suffering from heart problem
when a medical certificate from a dental surgeon was produced.

On the query from the Court as to whether the medical
certificate spoken of exists on record or not, the answer is in the
negative.

The State is represented.

None appears for the opposite party no.2, despite service.

Affidavit of service be filed in Court today be kept with
the record.

The order dated September 4, 2021 records that the
father of the accused is sick suffering from various ailments.
The order does not describe that any particular ailment that the
father of the accused was suffering from. It goes on to record

satisfaction that no further recovery was made from the possession of the accused person and that the handwriting of the accused person was taken. It goes on to hold that there exists no ground for further custodial detention and then proceed to grant bail to the accused.

We find no perversity in the order dated September 4, 2021 granting bail to the opposite party no.2.

Consequently, we are unable to cancel the bail granted in favour of the opposite party no.2.

CRM 6687 of 2021 is dismissed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)

