

03-01-2022
ct no. 13
Sl. 9
sp

**WPA 16822 of 2021
(Through Video Conference)**

Manisankar Das
-Versus-

The State of West Bengal & Ors.

Mr. Debashis Kundu

....for the petitioner

**Mr. Raja Saha,
Mr. Subhra Prakash Lahiri**

...for the State

Affidavit of service filed in Court today is taken on record.

The writ petitioner is aggrieved by the fact that despite having filed a complaint and FIR being registered being Budbud Police Station Case No. 76/2021 dated August 6, 2021 under Sections 302/120B of the IPC, the accused private respondents are roaming free. It is also submitted that the investigation is not proceeding satisfactorily.

Mr. Raja Saha, learned counsel for the State has made detailed submissions and has also produced instructions of the Officer-in-Charge, Budbud Police Station dated January 2, 2022.

It appears that the postmortem report and also the medical report indicate that the victim died of a cardiac arrest. It is also submitted that

the same is corroborated by the other evidence in the hands of the police. The investigation is still on and has not been concluded. Viscera and other particulars have been sent for forensic examination and the report is awaited.

In that view of the matter, this Court directs the Investigating Officer to record statements under Section 164 of the Cr. P.C. and the petitioner shall render all necessary cooperation to the Investigating Officer.

It is expected that the investigation is completed as expeditiously as possible preferably within a period of two months from date. The concerned Forensic Laboratory shall make report on the viscera and other samples to it, as expeditiously as possible preferably within a period of one week from the date of receipt of a copy of this order.

Mr. Chittapriya Ghosh, learned counsel for the respondents submits that his clients being respondent nos. 5 and 6 have applied for anticipatory bail before this Court.

With the aforesaid directions, the writ petition is disposed of.

There shall be no order as to costs.

The instructions of the Officer-in-Charge, Buddbud Police Station dated 02.01.2020 is kept with the record.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)