

CRM (DB) 2637 of 2022

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

In the matter of : **Sefali Bibi**

... ... Petitioner

Mr. Probal Sarkar, Advocate
Mr. Subhasish Bhattacharya, Advocate
Ms. Sk. Kiran, Advocate
... ... For the Petitioner

Mr. Jisan Iquabal Hossain, Advocate
... ... For the private opposite party

Mr. Arijit Ganguly, Advocate
Mr. Avik Ghatak, Advocate
... ... For the State

Petitioner prays for cancellation of the anticipatory bail granted on February 28, 2022.

The learned Advocate appearing for the petitioner submits that on February 28, 2022 since the case diary was not produced in Court, the order was passed without considering the case diary. Moreover, the private opposite party is threatening the petitioner subsequent to the grant of anticipatory bail.

Although, we are not required to consider the case diary afresh, we consider the same in view of the gender of the petitioner and the nature of allegations.

In her statement under Section 164 of the Code of Criminal Procedure, as appearing in the case diary, the petitioner acknowledged a relationship between her and the private opposite party.

Both the petitioner and the private opposite party are adults. The allegations of post bail mis-conduct by the private opposite party remain un-substantiated.

In such circumstances, we find no ground to cancel the anticipatory bail granted on February 28, 2022.

CRM (DB) 2637 of 2022 is dismissed accordingly.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)