

31.08.2022  
Serial no.39  
Aloke

**CRM 8795 of 2021**

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

In the matter of : **Kainat Begum**

... .. Petitioner

Mr. Niladri Sekhar Ghosh, Advocate

Ms. Srimoyee Mukherjee, Advocate

Ms. Sompurna Chatterjee, Advocate

Mr. Sourav Mondal, Advocate

... .. For the Petitioner

Mr. M. Nazar Chowdhury, Advocate

Mr. M. Ahmed Salik, Advocate

Ms. Priyanka Saha, Advocate

... .. For the Opposite Party no. 2

Mr. Iquabal Kabir, Advocate

... .... For the State

Petitioner prays for cancellation of the anticipatory bail granted on February 4, 2020.

The ground for cancellation is post bail misconduct of the private opposite party. In support of such post bail misconduct, two police complaints are referred to on behalf of the petitioner dated March 11, 2020 and March 27, 2020.

Report from the police was called for with regard to the said two police complaints of the petitioner.

The report submitted in Court be taken on record.

Learned Advocate appearing for the State submits that the report was sent to the Public Prosecutor's office through electronic mail and that the print out being produced in Court.

The report of the police states that enquiries were made with regard to the two police complaints by two Investigating Officers and that the complaints were found to be false.

Learned Advocate appearing for the petitioner contends that the police were required to register the two police complaints as First Information Report and investigate thereon.

The issue today is whether or not the private opposite party is guilty of post bail misconduct. The two police complaints of the petitioner were enquired into by the police and nothing substantial was found therein.

Since the post bail misconduct of the private opposite party remains unsubstantiated, we are unable to allow the prayer for cancellation of the anticipatory bail granted in favour of the private opposite party.

CRM 8795 of 2021 is dismissed.

**(Debangsu Basak, J.)**

**(Md. Shabbar Rashidi, J.)**