

02.12.2022
S/L No.22
KS

C.R.M.(SB) 224 of 2022
Shambhu Nath Jaiswal
-Vs.-
The State of West Bengal & Anr.

Mr. Sandipan Ganguly
Mr. Satadru Lahiri
Mr. Safdar Azam
.....For the Petitioner
Mr. Madhusudan Sur
Mr. Dipankar Paramanick
.....For the State
Mr. Imtiaz Ahmed
Md. Zeeshanuddin
Mrs. Amrin Khatoon
.....For the O.P. No.2

The present application has been filed for Cancellation of Bail which was initially granted by the Learned Additional Chief Metropolitan Magistrate – II, Calcutta on 17th January, 2022 and confirmed on 4th August, 2022.

Mr. Ganguly, learned senior advocate appearing for the petitioner submits that the petitioner has suffered business loss because of the activity of the accused opposite party no.2. The Investigating Agency after much efforts were able to arrest the present petitioner and seizures were effected in respect of the deceptively similar ceiling fans which were manufactured at the instance of the accused opposite party no.2 from 6D, Akrur Dutta Lane, Kolkata – 700012.

Mr. Imtiaz Ahmed, learned advocate appearing for the opposite party no.2 submits that the opposite party no.2 was arrested and produced before the Learned Additional Chief Metropolitan Magistrate – II, Calcutta and the Learned Magistrate after being satisfied that during the period of

his detention in custody as there was no seizure was pleased to grant interim bail and subsequently because of the conduct of the present opposite party no.2, his bail was confirmed.

Mr. Sur, learned advocate appearing for the State produces the Case Diary and draws the attention of this Court to the relevant materials which are appearing against the opposite party no.2. The seizure lists were brought to the notice of this Court alongwith the fact that charge-sheet has already been submitted on August, 2022 before the Jurisdictional Court.

I have assessed the submissions made by the respective parties and having regard to the nature of the case, I do not think this is a fit case where the liberty of the accused opposite party no.2 should be interfered with.

Accordingly, the order granting bail is confirmed, however with a condition being imposed that the police officer of the Muchipara Police Station being deputed by the Officer-in-Charge of the said police station for the next three years would once in a week inspect the workshop situated at 6D, Akrur Dutta Lane, Kolkata – 700012 to assess whether any specific spurious products are being manufactured or not.

Learned Trial Court is directed to fix at least one date in a month so that the trial of the case can be taken to its logical conclusion within a reasonable period of time.

With the aforesaid observations, C.R.M.(SB) 224 of 2022 is disposed of.

All parties are directed to act on the server copy of this order downloaded from the official website of this Hon'ble Court.

(Tirthankar Ghosh, J.)

