

Sl No. 27
07.03.2022.
Ct No. 2

**Calcutta High Court
In the Circuit Bench at Jalpaiguri
Appellate Jurisdiction
(Via Video Conference)**

WPA 398 of 2022

Moktab Ali

-versus

The State of West Bengal & Ors.

Mr. Subhankar Dutta
Mr. Debajit Kundu
... for the petitioner.

Mr. Subir Kumar Saha
Mr. Momenur Rahman
... for the State.

The petitioner alleges that the complaint lodged by him before the police regarding missing of his son is not being proceeded in the right earnest.

It has been submitted that one Jahir Hussain @ Jahir Ali is the master mind of the entire incident.

The petitioner submits that the police have not yet arrested the said Jahir Hussain even though his application for anticipatory bail stood rejected by an order of this Court in CRM 1165 of 2021 on December 17, 2021.

Learned advocate representing the State respondents submits that one out of the four accused persons have been apprehended and is in custody. Police conducted raid on various occasions at different places to recover the victim. The mobile numbers of the accused persons have been traced but the same have been switched off later on. The investigation is still under progress.

It has been mentioned in the instruction forwarded by the Officer-in-Charge, Nishiganj Police Out Post under Mathabhanga Police Station, Coochbehar that the police is constantly in touch with the complainant and further evidences are forthcoming.

As it appears that the police is proceeding further with the investigation, accordingly, no further order is required to be passed in the instant writ application, save and except that the concerned Investigating Officer shall proceed with the investigation diligently and forward the investigating reports, on periodic basis, to the Additional Superintendent of Police, Mathabhanga. The Additional Superintendent of Police, if required, shall give necessary instruction to the Investigating Officer to follow up the case in the right direction.

The writ petition stands disposed of.

Instruction given by the Officer-in-Charge, Nishiganj Police Out Post under Mathabhanga Police Station dated March 5, 2022 be retained with the records.

Urgent photostat certified copy of this order, if applied for, be given to the parties after completion of all legal formalities.

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(Amrita Sinha, J.)