

13.07.2022
Court No.1
SL No.44
pk/AP

**HIGH COURT AT CALCUTTA
CIRCUIT BENCH AT JALPAIGURI**

CRM(DB) 211 of 2022

In Re: - An application for cancellation of bail under Section 439(2) of the Code of Criminal Procedure.

And

In the matter of: **Rajib Dutta**

....Petitioner.

Mr. Dipankar Dey
Mr. Partha Pratim Sarkar
Mr. Sumanta Ghosh

...for the petitioner.

Mr. Sourav Ganguly
Mr. Biswarup Roy

...for the State.

Mr. Joyjit Choudhury
Mr. Ajay Singhal

...for the opposite party Nos. 2 and 3.

An application is made for cancellation of bail granted by the learned Sessions Judge, Darjeeling, Circuit Court at Siliguri in Criminal Misc. Case No.160 of 2022 on 15th June 2022.

It is vehemently argued by the counsel for the petitioner that the reasons for granting bail are erroneous and it ought not to have been allowed.

It is submitted that the accused persons are highly influential and are hobnobbing with the investigating officer.

This Court notes that the order granting bail is neither perverse nor contrary to law or the facts of the case. The investigation is at very nascent stage. The accused persons have not misused any of the conditions of the bail.

In those circumstances, this Court is of the view that the anticipatory bail already granted to the petitioner and the subsequent regular bail obtained by the petitioner does not call for interference.

The investigation shall, however, be expedited and completed as early as possible.

The accused persons shall continue to cooperate in the investigation as already directed by the bail granting Court.

The investigating officer shall not be influenced by any of the observations made by the learned Sessions Judge in the impugned order.

Counsel for the petitioner submits that WPA 1384 of 2022 is pending before this Court, complaining against the investigation. It is made clear that the aforesaid order is passed without prejudice to the rights and contentions of the petitioner in the aforesaid writ petition.

With the aforesaid observations, CRM(DB) 211 of 2022 is dismissed.

(Rajasekhar Mantha, J.)

(Ananda Kumar Mukherjee, J.)