

08.05.2023

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C.R.M.(DB) 144 of 2022

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

And

In Re : The State of West Bengal petitioner

Mr. Swapan Banerjee

Mr. Suman De

..... for the State/petitioner

Inspite of service nobody appears for the opposite party.

Learned Counsel for the State/petitioner submits opposite
party was present at the place of occurrence. He took a false plea
of alibi. Order granting interim bail be cancelled.

We have considered the materials on record. Interim bail
was granted in September, 2021. Investigation is complete. Apart
from plea of alibi learned Judge also considered the materials on
record including the fact no specific overt act had been attributed
to the opposite party. Hence, order cannot be said to be perverse.

Application for cancellation of bail is, thus, disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)