

20.01.2023

Item No.2

Ct.No.34

dc.

C.R.M. (SB) 8 of 2023

In Re : An Application for bail under Section 439 of the Code of Criminal Procedure filed in connection with Kharagpur (Town) Police Station Case No. 501 of 2022 dated 23.08.2022 (G.R. Case No. 965 of 2022) under Sections 420/406 of the Indian Penal Code, added Section 468 of the Indian Penal Code.

And

In Re : **Shuvabrata De**

... Petitioner.

Mr. Sourav Chatterjee,
Mr. Soumyajit Das Mahapatra,
Ms. Madhurai Sinha

... For the Petitioner.

Mr. Rudradipta Nandy,
Ms. Sonali Das,
Mr. Subroto Roy

... For the State.

Mr. Chatterjee, learned advocate appearing for the petitioner initially points out certain illegalities regarding non-compliance of the judgement of the Hon'ble Supreme Court in ***Arnesh Kumar Vs. State of Bihar and Another*** reported in ***(2014) 8 Supreme Court Cases 273*** and submits that in ***Munawar Vs. State of Madhya Pradesh and Others*** reported in ***(2021) 3 Supreme Court Cases 712***, the Hon'ble Supreme Court on such non-compliance of Arnesh Kumar's judgement was pleased to release a person on interim bail. According to the learned advocate, the same incident has also taken place in the present case.

The matter was heard earlier.

Mr. Nandy, learned advocate appearing for the State has produced the case diary.

Learned advocate for the petitioner has expressed his intention for not proceeding with the hearing of the bail application any further.

Accordingly, the application for bail, being CRM (SB) 8 of 2023, is **dismissed** as **not pressed**.

All parties shall act on the server copy of this order duly downloaded from the official *website* of this Court.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Tirthankar Ghosh, J.)