

39 26.04.2023
(AD) Court No.29
(Dismissed)

C.R.M. 738 of 2021

In Re: - An application under Section 439(2) of the Code of Criminal Procedure, 1973.

And

In the matter of: - Kishor Dey

...petitioner.

Mr. Debapratim Guha
Mr. Rajiv Lochan Chakraborty
Ms. Anchita Sarkar

... for the petitioner.

An order granting anticipatory bail by the learned Sessions Judge on December 18, 2020 to the private opposite parties is under challenge in the present application.

Learned Judge took into account the post-mortem report of the victim and the materials in the case diary. Learned Judge ascribed reason for granting anticipatory bail to the private opposite parties.

It is the claim of the petitioner that, post-grant of the anticipatory bail, the petitioner was threatened.

The police complaint with regard to the threat is dated January 5, 2021. The petitioner is unable to substantiate the claim of threat or produce any materials to suggest that any further steps were taken with regard to the complaint of threat.

This application was kept pending since 2021.

In such circumstances, we find no reason to cancel the anticipatory bail granted to the private opposite parties.

C.R.M. 738 of 2021 is dismissed accordingly.

(Debangsu Basak, J.)

(Rai Chattopadhyay, J.)

