

30.03.2023

67
Ct. No. 29
CHC

C.R.M.(DB) 377 of 2023

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

And

In the matter of : Namita Biswas

..... petitioner

Mr. Sabir Ahmed,
Mr. Abdur Rakib,
Mr. Biswajit Sarkar,
Mr. Dhiman Banerjee
....for the petitioner

Ms. Zareen N. Khan,
Mr. Arup Sarkar
....for the State

Mr. Ayan Bhattacharjee,
Ms. Sananda Bhattacharyya
...for the o.p. nos.2 and 3

Report called for in respect of the opposite party no.2 from the SSKM Hospital filed in Court.

The report dated March 27, 2023 demonstrates that opposite party no.2 was checked by seven doctors of SSKM Hospital. The report states that the current disability of the opposite party no.2 is 46% which is temporary in nature and is amenable to further treatment.

Therefore, the contention of the petitioner that, the certificate of disability relied on by the opposite party no.2 at the time of obtaining the order of anticipatory bail was fake, *prima facie*, does not appear to be correct.

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

CRM (DB) 377 of 2023 is dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)