

D/L8
28.04.2023
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C.R.M. (SB) 17 of 2023

In Re: An application under Section 439(2) of the Code of Criminal Procedure, 1973 for cancellation of Bail;

Sri Ashok Yadav
Versus
The State of West Bengal and others

Mr. Debasis Kar,
Mr. Subhajit Chowdhury.
...for the petitioner.

Mr. Joydeep Roy,
Ms. Sujata Das.
...for the State.

Report submitted by Mr. Roy, learned advocate appearing for the State be kept with the record.

Mr. Kar, learned advocate appearing for the petitioner is anxious regarding the recovery of the vehicle and the manner in which the bail was granted to the accused/opposite parties.

It has been complained that the opposite parties surrendered before the court and they were granted bail and they have not been cooperating with the Investigating Officer so that the vehicle which is the subject matter for which the jurisdiction of the court was invoked materialised.

Having considered the submissions and the fact that in spite of service, none appears for the accused/opposite parties before this Court, I direct the learned ACJM, Barrackpore to modify the order of bail already granted till 30th June, 2023. The conditions be imposed so that the accused/opposite parties twice a week meet with the Investigating Officer of the case.

Complainant is directed to inform the Investigating Officer in case he has information regarding the whereabouts of the vehicle.

The Investigating Officer would take steps regarding the recovery of the vehicle which is the subject matter of the case by taking appropriate permission from the learned ACJM, Barrackpore. If the conduct of the accused persons continues in similar manner of non-cooperation with the investigation, after 30th June, 2023, learned ACJM, Barrackpore would be at liberty to cancel the bail by his subsequent order.

With the aforesaid observations, CRM (SB) 17 of 2023 is disposed of.

Pending application, if any, is consequently disposed of.

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 of all requisite formalities.

(Tirthankar Ghosh, J.)