

10.04.2023

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C.R.M. (DB) No. 424 of 2022

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

And

In Re : Saraswati Manna petitioner

Mr. Soumojit Chatterjee

Mr. Partha Pratim Sinha

..... for the petitioner

Mr. S. S. Imam

Mr. R. Jana

..... for the State

Mr. Manas Kumar Das

Mr. Asraf Mondal

Mr. A. K. Thokdar

.... for the opposite party nos. 2 & 3

Learned Counsel for the petitioner submits opposite party
nos. 2 and 3 misused their liberty and threatened her. General
diary was lodged.

Investigating officer is present and submits report.

Learned Counsel for the opposite party nos. 2 and 3 denies
and disputes the allegations.

We have considered the materials on record. Opposite party
nos. 2 and 3 were released on bail after considering the merits of
the allegations.

With regard to the allegation of misuse of liberty we note
apart from alleged threat of the petitioner on 04.02.2022 no other
cogent material is placed before us even that allegation is generic
in nature.

Hence, we are not inclined to cancel bail of opposite party nos. 2 and 3.

But to instill confidence in the mind of the petitioner and other witnesses, we direct opposite party nos. 2 and 3, while on bail, shall not enter the jurisdiction of Bhupatinagar Police Station until further orders and provide address where they shall presently reside to the investigating officer as well as court below and shall report to the officer-in-charge of the police station concerned within whose jurisdiction they shall presently reside once in a week until further orders.

With this observation, the application for cancellation of bail is disposed of.

Presence of investigating officer is noted and dispensed with.

(Partha Sarathi Sen, J.)

(Joymalya Bagchi, J.)