

23.03.2023
Item No.25
Court No.13.
AB

WPA No. 3262 of 2023

**Birendranath Hembram
Vs
The State of West Bengal & Others**

Mr. Malay Bhattacharya,
Mr. Subhrajyoti Ghosh,
Mr. Dibakar Sardar ...for the Petitioner.

Mr. Amitesh Banerjee,
Mr. Sudhadeb Adakfor the State.

Affidavit of Service filed in Court today be kept
on record.

The petitioner is aggrieved that the private
respondent is obstructing the construction being made
by him on his premises. The petitioner has lodged a
complaint with the Noapara Police Station but no
cognizance has been taken.

The private respondent complained to the police
that the petitioner has threatened, abused and has
insulted her by reference to a Scheduled Caste status.

The petitioner submits that the police have been
rather biased and overactive in arresting him on the
complaint of the private respondent being FIR no.24 of
2023 dated 23.1.23. He was arrested without notice
under Section 41A of the Code of Criminal Procedure.
The petitioner is on bail.

Without entering into the contentions of the
petitioner, this Court directs Noapara Police Station to

register FIR in respect of the petitioner's complaint and commence appropriate investigation and take steps in terms of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act forthwith.

WPA No.3262 of 2023 stands, accordingly, disposed of.

All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)