

12-10-2023
Subha
Item no.16
Ct no.34

*IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction*

CRR 592 of 2023

***Md. Nasim Akhtar @ Nasim Akhtar
-versus-
The State of West Bengal.***

Ms. Minoti Gomes
Ms. Dona Sanyal
.....for the petitioner.

Mr. S. G. Mukherji, ld. PP
Mr. Imran Ali
Ms. Debjani Sahu
...for the State.

Report submitted by ASI, Enforcement Branch, ADPC,
District- Paschim Bardhaman through the learned advocate
appearing for the State be kept with the record.

The subject matter of the case relates to return of the
seized incense sticks which were a part of the materials collected by
the Investigating Agency in course of the investigation. The
petitioner claimed return of the same.

Having regard to the factum that prima facie it is the
opinion of the Investigating Agency that they were misbranded and
counterfeit and would be required in course of the trial proceedings,
I am not inclined to interfere at this stage with the order dated
23.12.2022 passed by the learned Chief Judicial Magistrate,
Asansol, Paschim Bardhaman.

Petitioner is granted liberty to prefer a fresh application with
overwhelming materials to satisfy the learned Magistrate if at all,

such prayer for return is insisted and required by the petitioner.

No interference is made at this stage by this court.

With the aforesaid observations, the present revisional application being CRR 592 of 2023 is disposed of.

Pending applications, if any, are consequently disposed of.

All concerned parties are to act in terms of a copy of this order duly downloaded from the official website of this court.

[Tirthankar Ghosh, J]