

D/L47
17.05.2023
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C.R.M.(SB) 60 of 2023

In Re: An application under Section 439(2) (Cancellation of Bail) read with Section 482 of the Code of Criminal Procedure, 1973;

Md. Sadikul Islam
Versus
The State of West Bengal and another

Mr. Partha Sarathi Das,
Mr. Kaushik Biswas,
Ms. Shanta Sarkar.
...for the petitioner.

Mr. Arijit Ganguly,
Mr. Sandip Chakraborty.
...for the State.

Mr. Mrityunjoy Chatterjee,
Mr. M. Das,
Mr. Debapriya Majumder.
...for the opposite party no.2.

The petitioner is aggrieved by the order of interim bail being granted on 17th January, 2023 by the learned Chief Judicial Magistrate, Malda in connection with Kaliachak Police Station Case No.1482 of 2022 dated 27.12.2022.

I have considered the issue canvassed by the learned advocate appearing for the applicant who is aggrieved by the factum of the opposite party no.2/ accused being granted interim bail on the first day. I have taken into account the merits of the allegations and I am of the view that there is no scope for interference in the order so passed by the learned Chief Judicial Magistrate, Malda.

The applicant/petitioner would be at liberty to canvass the issue relating to cancellation of bail in case subsequently

supervening circumstance surface in due course.

With the aforesaid observations, CRM (SB) 60 of 2023 is 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.)