

14.07.2023
Sl. No.48
akd

C. R. M. 3205 of 2021

In Re : An application for cancellation of bail under Section 439(2) of the Code of Criminal Procedure filed on 07.04.2021 :

A N D

In Re : State of West Bengal

... Petitioner

Mr. Neguive Ahmed .. Id. Addl. Public Prosecutor
Ms. Amita Gaur

... .. for the petitioner-State

Mr. Sagnik Mukherjee

... .. for the opposite party

Petitioner-State has assailed order granting interim bail to opposite party. Interim bail was granted to opposite party on humanitarian considerations as his father had passed away. Order of interim bail has not been confirmed as yet.

Under such circumstances, we give liberty to the State to pray for cancellation of bail before the trial court. In the event, such prayer is made, trial court shall consider such prayer along with the prayer for confirmation of interim bail in the light of the restrictions under Section 37 of the NDPS Act. The entire exercise shall be concluded within 30 days from the date on which the State approaches the court for cancellation.

With the aforesaid observations, CRM 3205 of 2021 is disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)