

03.05.2023
tkm/ct 28
sl no. 69

C.R.M. 3601 of 2021

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

And

In Re : Sangita Ghosh

..... petitioner

Mr. Koustav Bagchi

Ms. P Kar

Ms. D Ghosh

.....for the petitioner

It is contended on behalf of the petitioner that notice under section 41A Cr.P.C was illegally issued upon the opposite party no. 2 as the offence was punishable with life imprisonment. Hence, he challenges the order of interim bail.

We have considered the materials on record. Without going into the legality of the notice under section 41A Cr.P.C, we may note that opposite party no. 2 responded to the notice and co-operated with investigation. Order is an interlocutory one.

Under such circumstances, we find no reason to interfere with the order granting interim bail.

It is open to the petitioner to agitate his grievances at the time of confirmation of bail in accordance with law, if so advised.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)