

02.05.2023

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Ct. No. 29
CHC

C.R.M. (DB) 1567 of 2023

In Re: An application for cancellation of anticipatory bail.
And

In the matter of: Kranti Chand Borar

..... petitioner

Mr. Ganesh Shrivastava,
Mr. Somnath Banerjee,
Mr. Apurbo Ghosh,
Mr. Anindya Ghosh,
Mr. Pronojit Roy

....for the petitioner

Mr. Ranabir Roy Chowdhury, Ld. A.P.P.
Mr. Sandip Chakraborty

....for the State

Mr. Joydeep Biswas,
Mr. Kaushik Ghosh

....for the opposite party nos.2,3,4,5

The private opposite parties were granted anticipatory bail by the order dated October 31, 2022, passed in CRM (A) 4737 of 2022.

It is contended on behalf of the petitioner that the police did not filed charge-sheet though it has been noted in the order granting anticipatory bail that police submitted chargesheet. Therefore, the anticipatory bail should be cancelled.

State and the private opposite parties are represented.

Co-accused were enlarged on anticipatory bail by the order dated September 26, 2022, passed in CRM (A) 4470 of 2022. Such fact was noted in the order dated October 31, 2022 cancellation of which he sought for in the present application.

In the order dated October 31, 2022, the submission on behalf of the State that the police filed charge-sheet was noted.

On a query to the Court, learned advocate appearing for the State submits that police are yet to submit the charge-sheet. The submissions made on October 31, 2022 were erroneous.

The private opposite parties were not enlarged on anticipatory bail only on the ground of the police filing chargesheet. The factum of two other co-accused were being enlarged on anticipatory bail and the petitioner standing in the same footing as that of other co-accused were taken into consideration. Moreover, the factum of pendency of civil dispute between the private parties on such dispute relating to a thrust. Number of criminal proceedings pending were also taken into consideration.

In such circumstances, we find no ground to cancel the order granting anticipatory bail to the private opposite parties.

CRM (DB) 1567 of 2023 is dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)

