

Item No.31  
Ct.No.34  
dc.

**C.R.M. (SB) 78 of 2023**

In Re : An Application for cancellation of bail under Section 439(2) of the Code of Criminal Procedure, 1973.

And

In Re : **Jhuma Ghosh** ... Petitioner.

Mr. Mrityunjoy Chatterjee,  
Mr. Debapriya Majumder ... For the Petitioner.

Mr. Arijit Ganguly,  
Ms. Debjani Sahu ... For the State.

Mr. Sankar Prasad Dalapati,  
Mr. Safik Dewan,  
Ms. Tanusree Ghosh,  
Mr. Sourav Mondal ... For the Opposite Party Nos. 2, 3 & 4.

Affidavit-in-reply filed on behalf of the petitioner be  
kept on record.

Report submitted by Mr. Arijit Ganguly, learned advocate appearing for the State be also kept on record.

The present application has been preferred challenging the order dated 22.03.2023 which relates to the order passed by learned Chief Judicial Magistrate, Burdwan wherein the learned Chief Judicial Magistrate, after considering the contentions advanced on behalf of both the parties, was pleased to reject the application filed at the instance of the *de facto* complainant.

I find no illegality in the order dated 22.03.2023.

Mr. Chatterjee, learned advocate appearing for the *de facto* complainant/petitioner has insisted on restraining the opposite party nos. 2, 3 and 4 from entering into the jurisdiction of Ausgram Police Station.

Mr. Dalapati, learned advocate appearing for the opposite party nos. 2, 3 and 4, on the other hand, submits that the petitioner is embellishing facts to suit her needs for creating difficulties upon the opposite parties.

I find that charge-sheet, supplementary charge-sheet everything have been submitted in connection with the instant case. However, there are inimical terms between the *de facto* complainant/petitioner and the private opposite party nos. 2, 3 and 4. In case the learned Chief Judicial Magistrate, Burdwan or the court which will be in seisin of Ausgram Police Station Case No. 96 of 2022 dated 06.04.2022 finds subsequently that there are incidents which require modification or alteration of the conditions of bail, the said court on an application being taken out would immediately take steps for modifying or altering the conditions of bail as it deems fit and proper.

With the aforesaid observations, the application being CRM (SB) 78 of 2023 is disposed of.

Pending connected application, if any, is consequently 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 with all requisite formalities.

**(Tirthankar Ghosh, J.)**