

05.01.2023
sl.32/Ct.No.28
tkm

C.R.M. (DB) 1937 of 2022

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

In Re : Manish Kishore Nag Petitioner.

Mr. Robiul Islam
Mr. K M Hossain
Mr. Raju Mondal

... for OP nos. 1 to 7

Order dated 20th January 2022 granting bail to the
opposite parties is under challenge.

Nobody appears for the petitioner.

Mr. Islam for the opposite parties submits they had
lawful right to carry on pisciculture in the pond. This is
supported by the Revenue Inspector's report which is placed
on record. His clients had complied with section 41A Cr.P.C
and were enlarged on bail.

We have considered the materials on record. Opposite
parties have a colour of right to carry on pisciculture in the
pond. They had co-operated during investigation.

In view of ***Satender Kumar Antil vs. CBI***¹ opposite
parties were entitled to be released on bail.

Under such circumstances we do not find any merit in
the application and the same is dismissed.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)

¹ (2022) 10 SCC 51