

30.08.2023.
55.
Ct.No.28.
as

C.R.M. (DB) 2109 of 2023

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

In the matter of : Trijit Modak @ Trijeet Kr. Modak.
... Petitioner.

Mr. S. Das Mahapatra,
Mr. Ali Ahasan Alamgir,
Syed Uj Jaman.

....for the Petitioner.

Mr. Sudip Ghosh,
Mr. Bitasok Banerjee.

...for the State.

1. Petitioner submits opposite parties/accused are violent people and indulging in acts of violence and assault. Investigation is not done in a proper manner. Injury reports and other vital evidence have not been seized.
2. Learned Advocate for the State submits injury reports were collected during investigation.
3. We have considered the materials on record. Impugned order dated 20.04.2023 granting bail records the materials considered at the time of grant of bail. Out door medical ticket had been taken into consideration.
4. In view of the aforesaid fact, we are of the opinion there was proper application of mind to relevant materials while granting bail. We do not wish to interfere with the order of bail on the ground of perversity.

5. With regard to allegation of misuse of liberty, it is open to the petitioner to canvass his grievances before the learned Magistrate who enlarged the opposite parties/accused on bail. Investigating agency shall also look into the grievance of the petitioner and seize necessary documents and other evidence produced by him in support of his allegations.

6. With this observation, the application for cancellation of bail is disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)