

S/L
Item No. 06
03.07.2023
KOLE

WPA 15394 of 2023

Md. Asrafuddoullah
-Vs.-
The State of West Bengal & Ors.

Mr. Pratip Kumar Chatterjee,
Mr. C. Ghosh,

...for the petitioner.

Mr. Amitesh Banerjee, Sr. Adv.
Mr. I. Banerjee,

.... For the State.

1. The petitioner's wife is contesting in the forthcoming Panchayat elections. The petitioner intends to campaign on behalf of his wife. He seeks protection against any action of the State Police.
2. It appears from the submissions of learned Counsel that a charge-sheet has been filed against the petitioner in respect of FIR No. 67 of 2023 dated 25th January, 2023. The charge sheet is no. 247 of 2023 dated 20.04.2023 under Sections 302/34/120B of the Indian Penal Code.
3. The petitioner, though not named in the original FIR is a charge-sheeted accused.
4. Counsel for the petitioner would argue that the principal reason for his being included in the charge sheet is that he belonged to the ruling party at one point of time and changed allegiance to other political party in January, 2023. It is further argued that the order of proclamation has been issued before the returnable day of the warrant.

5. An application for anticipatory bail filed by the petitioner has been withdrawn. The petitioner shall be at liberty to apply for regular bail upon surrender or any other relief he may be entitled to in accordance with law. This court is not inclined to interfere in any way in the backdrop of the facts and circumstances of the case.
6. The writ petition stands disposed of.
7. All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)