

15-09-2023
Subha
Item no. 37
Ct no.34

IN THE HIGH COURT AT CALCUTTA
Criminal Miscellaneous Jurisdiction
Appellate Side

CRM (SB) 133 of 2023

Ashis Pal
-Versus-
The State of West Bengal and ors.

Mr. Gouranga Kumar Das
....for the petitioner.

Mr. Md. Anwar Hossain
Mrs. Manisha Sharma
...for the State.

Affidavit of service so filed be kept with the record.

The present application for cancellation for bail has been preferred in connection with Sonarpur Police Station Case No. 1049 of 2021 dated 15-12-2021 under Sections 447/448/380/34 IPC. Several cases are pending between the parties. A list of which has been submitted by Mr. Hossain, learned advocate appearing for the State. Another memo of evidence has been submitted by the learned advocate for the State which reflects that the Investigating Agency has also checked the CCTV footage but did not find anything with regard to the issues of theft. The investigation of the case is in progress till date. The period of time which has elapsed and the complicity of the petitioner for which the investigation is still continuing do not at this stage inspire confidence to interfere with the order of bail so granted. However, if circumstances so warrant the petitioner being the de facto complainant would be entitled to file an appropriate application before the jurisdictional court, the learned jurisdictional court would assess regarding attending circumstances and decide whether the liberty granted to the opposite party should be interfered with or not. No interference is however made at this stage.

Consequently, the application for cancellation of bail being CRM(SB) 133 of

2023 is disposed of.

With the aforesaid observations, CRM (SB) 133 of 2023 is disposed of.

Pending applications, if any, are consequently disposed of.

All concerned parties are to act in terms of a copy of this order duly downloaded from the official website of this court.

[Tirthankar Ghosh, J]