

17.01.2023
Court No.13
Item No.1
pk

WPA 16885 of 2022

Bithika Sarkar
Vs.
The State of West Bengal & Ors.

Mr. Debasis Sur
Mr. H.S. Paul

... For the Petitioner.

The Inspector-in-Charge, Bamongola Police Station, District-Malda, is present in Court. He has filed Instructions dated 16.01.2023, which is taken on record. It appears from the instructions of Bamongola Police Station, addressed to State advocate, that in respect of FIR No. 31 of 2021 dated 22.02.2021 Bamongola P. S. Charge Sheet No. 46 of 2021 dated 22.03.2021 has been filed against Mantulal Bairagi, Parul Bairagi and Subal Bairagi.

On the further complaint of the petitioner dated 25th August, 2021 which stated that that accused tried to kill her by strangulating and stabbing her with a knife because she lodged the FIR 31 of 2021 and beat her with iron rod, FIR 147 of 2021 dated 14th September, 2021 was registered.

It appears that investigation was completed and Charge Sheet No. 159 of 2021 dated 30.09.2021 has been filed. There has been no instance of any further threat against the petitioner.

The I. C., Bamongola Police Station shall ensure strict vigil on the petitioner's premises and ensure that

there is no breach of peace in the area or any harm caused to the petitioner. In the event of any further complaint against the accused persons, they shall be taken into custody forthwith.

It is submitted that the said accused are also accused in other NDPS case in which they have obtained bail. Bamongola Police Station shall take steps for cancellation of such bail.

The petitioner complains that she has not been receiving alimony on a regular basis. She may take out appropriate proceedings for execution before the Magistrate under Sections 125/128 of the Cr. P. C.

It is submitted by the I. C. of Bamongola Police Station that in connection with the alimony proceeding, the accused was taken into custody and released on bail upon payment of Rs.15,000/-.

The Magistrate shall ensure that the petitioner receives alimony on regular basis and the I. C. of Bamongola Police Station shall render necessary assistance in this regard.

Personal presence of the I. C. of Bamongola Police Station is dispensed with.

The writ petition is disposed of.

There will be no order as to costs.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)

