

26.09.2023
D/L 74
Ct. No.28
(dismissed)
(SKB/Suvayan)

CRM (DB) 3013 of 2023

In Re:- An application for cancellation of bail under
section 439(2) of the Code of Criminal Procedure, 1973

And

In the matter of : Mrs. "X"

... Petitioner

Mr. Sridhar Chandra Bagari

... for the petitioner

Mr. Niladri Shekhar Ghosh,
Mr. Sourav Mondal,
Ms. Laboni Sikder

... for the O.P. No.2

1. Heard learned counsel for the parties.
2. Learned counsel for opposite party no.2 submits charge-sheet has been filed under bailable offences. There is no allegation of misuse of liberty.
3. Learned counsel for the petitioner submits investigation was conducted in a biased manner and the victim had been threatened at the police station.
4. We have considered the materials on record. Charge-sheet has been filed under bailable offences. Allegation of indifferent investigation and/or threat upon the victim by police personnel, may be agitated in a different proceeding but would not give rise to cause of action to cancel in a case involving bailable offences.

5. With this observation, the application being CRM
(DB) 3013 of 2023 is dismissed.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)