

02.05.2023

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Ct. No. 29

CHC

**C.R.M. 7961 of 2021**

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

And

In the matter of: Saraswati Bag (Das)

..... petitioner

Mr. Kallol Kumar Basu,

Md. Jannat ul Firdous

....for the petitioner

Mr. S. S. Imam,

Mr. S. Kundu

....for the State

The application is directed against an order dated March 18, 2021 passed by the learned Sessions Judge, Howrah, in Criminal Misc. Case No.413 of 2021. By the impugned order, the learned Sessions Judge granted anticipatory bail to the private opposite parties and directed the private opposite parties to surrender before the learned Chief Judicial Magistrate, Howrah by May 17, 2021.

On the basis of the contention of the petitioner that the private opposite parties did not comply with such direction of the order granting anticipatory bail we asked for a report from the State on April 25, 2023.

Report submitted by the State be taken on record.

It appears from such report that private opposite parties did not surrender before the learned Chief Judicial Magistrate, Howrah, in terms of the order dated May 17, 2021.

The private opposite parties, therefore, violated the condition of the order granting anticipatory bail. They did not surrender before the learned Chief Judicial Magistrate, Howrah as directed.

In such circumstances, we cancel the anticipatory bail granted to the private opposite parties by order No.3 dated March 18, 2021 passed in Criminal Misc. Case No.413 of 2021.

CRM 7961 of 2021 is disposed of accordingly.

**(Debangsu Basak, J.)**

**(Md. Shabbar Rashidi, J.)**