

S/L
Item No. 02
10.08.2023
KOLE

WPA 19433 of 2023

**Kuddus Ali @ Md. Kuddus Ali & Anr.
-Vs.-
The State of West Bengal & Ors.**

*Mr. Mrityunjoy Chatterjee,
Mr. M. Das,
Mr. Debapriya Majumder,*

...for the petitioners.

Mr. Arka Kumar Nag,

...for the State.

This is an application under Article 226 of the Constitution of India praying for a direction upon the respondent authorities to ensure the safety and security of the life and property of the petitioners and their family members so that the petitioners can attend the meeting for Board formation in the Gram Samity at Raninagar-II Panchayat Samity on 12.08.2023 at 12.00 noon and for grant of an order not to arrest the present petitioners in connection with Raninagar Police Station Case numbers 359 of 2023 dated 10.07.2023, 319 of 2023 dated 23.06.2023, 324 of 2023 dated 25.06.2023 and 321 of 2023 dated 23.06.2023.

Learned Counsel appearing for the petitioner submits as follows. The petitioners are the winning candidates in the Gram Panchayat elections of 2023. The meeting for Board formation is to take place on 12.08.2023 at 12.00 noon. It is apprehended that the miscreants belonging to the rival political party would try to prevent them from attending such meeting. During the process of conducting of the Gram Panchayat elections, the Administration has foisted

false cases against the present petitioners as mentioned above. Three of them against the petitioner no. 1 and one against the petitioner no. 2. An order not to take coercive steps may be passed in respect of these cases. The petitioners had filed applications for anticipatory bail before this Court in respect of the cases, but the same may not be heard till the holding of the meetings.

Learned Counsel for the State submits as follows. The allegations made in the writ petition are denied. Police arrangements for security have already made at the venue in question. Moreover, the petitioners have already filed applications for anticipatory bail in respect of the cases referred to above.

I have heard learned counsel for the parties and have perused the writ petition.

It appears that the petitioners are the winning candidates for the Panchayat Samity for the Raninagar-II Panchayat Samity. Meeting for Board formation is to be held on 12.08.2023 at 12.00 noon.

It is the apprehension of the petitioners that the local miscreants might try to prevent them from attending the meeting.

It is further averred by the petitioners that the applications for anticipatory bail filed by the petitioners would not be taken up for hearing till the meetings are over.

In view of the above and for ends of justice, I direct the respondent police authorities to make adequate police arrangements at the venue of the meeting for Board formation at the relevant date and time. The respondent

police authorities shall keep a strict vigil at the locale and ensure that no breach of peace takes place.

Considering the exigency, the petitioners are granted a limited protection in respect of the four cases inasmuch as the respondent authorities shall not arrest the petitioners in connection with the aforesaid four cases till 13.08.2023.

With these observations, the writ petition stands disposed of.

Since affidavits have not called for, the allegations made in the writ petition are deemed not to be admitted by the respondents.

Urgent photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

(Jay Sengupta, J.)