

29-08-2023
Item no.53
Subrata
Bhattacharyya

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction

CRR No.3238 of 2023
Sachin Maity & Ors.

-vs-

The State of West Bengal & Anr.

Mr. Mohammad Mahmud
Mr. M.S. Mollah
Mr. Neyaz Ahmed ...for the petitioners

Mr. Anwar Hossain
Ms. Ratna Ghosh ... for the State

The petitioners are directed to serve a copy of the instant revisional application upon learned advocate Ms. Ratna Ghosh, who usually represents the State. Her appointment may be regularised by the concerned authority.

The subject-matter of challenge of the revisional application relates to a charge-sheet filed in connection with Bagnan PS Case No.602 of 2022 under sections 341/323/506/34 IPC.

Learned advocate appearing for the petitioners draws attention of the court to the charge-sheet which has been submitted by the investigating agency on completion of the investigation as also the cognizance taken by the learned Magistrate on the said charge-sheet and the documents which have been filed along with the charge-sheet. He submits that the issue related to a water body and the fish which was available in the water body. The dispute is regarding ownership of the same and it is claimed that petitioner no.2 has purchased the said property.

Be that as it may, the statement under section 161 CrPC reflects regarding the issue of assault upon Anjan Banerjee and one Barnali Banerjee. The injury report of the Bagnan rural hospital also reflects some injuries on Anjan Banerjee and the names of some of the

accused persons are appearing in the injury report itself.

Having regard to the nature of materials accompanying the charge-sheet at this stage, I am not inclined to interfere so far as the prayers which have been advanced in the present revisional application. The petitioners shall be at liberty to canvass such points at the appropriate stage of consideration of charges, trial and at the final stages of the argument.

With the above observations, CRR No.3238 of 2023 stands disposed of.

Pending application, if any, stands also disposed of.

Parties are to act on the server copy of this order duly downloaded from the official website of this court.

Certified copy of this order, if applied for, shall be made available to the parties.

[Tirthankar Ghosh, J]