

16.03.2023
Court No.13
Item No.10
AP

WPA 22222 of 2022

**Sri. Prasenjit Prasad Gupta @ Bhakat
Vs.
State of West Bengal and Ors.**

Mr. Ranojoy Chatterjee
Mr. Subhajyoti Halder

... For the petitioner.

Mr. Subhabrata Datta
Mr. Debashis Sarkar

... For the State.

There are civil disputes with regard to property between the petitioner and the private respondents. However, the private respondents continue to threaten, intimidate and assault the petitioner.

Learned counsel for the State has produced a report in the form of instructions dated 4th November, 2022 issued by the Inspector-in-Charge, Bamongola Police Station, Malda addressed to the learned Government Pleader and the same is taken on record.

It appears that charge sheet No.26/15 dated 29th February, 2016 under Sections 341, 323, 506, 34 of the IPC; Bamongola PS Charge Sheet No.98/20 dated 5th June, 2020 under Sections 341, 123, 506 of the IPC and Final Report as True being No.158/22 dated 30th June, 2022 under Sections 448, 188, 506, 34 of the IPC have been filed. Thereafter, Bamongola Police Station non-FIR prosecution has been filed by the police against the private respondents on five several occasions.

The petitioner has made out a prima facie case of threat, intimidation against the private respondents.

Bamongola Police Station shall provide necessary security to the petitioner comprising of two armed constables for a period of one month at his residence, at the petitioner's cost. The cost of deployment of two armed constables shall be communicated to the petitioner by the Bamongola Police within a period of three days from the receipt of a copy of this order.

The police shall, however, ensure that there is absolutely no breach of peace in the area and in the event of any further complaint against the private respondents, coercive steps must be taken.

With the aforesaid directions, the writ petition shall stand disposed of.

There shall 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.)