

WPA 24877 of 2023

Munshi Akram Alam
Vs.
State of West Bengal & Ors.

Mr. Malay Bhattacharyya
Mr. Subhrajyoti Ghosh
...for the petitioner

Mr. Ansar Mandal
Mr. Asish Dutta
... for the State

Mr. Pratip Mukherjee
Ms. Riya ballar
... for the
respondent Nos. 5 to 14

From the statement of the victim as available at page 17 of the Case Diary it appears that the accused as assaulted him with sticks and similar other things and with stones. This resulted in a fracture injury on the left leg of the petitioner. He also received injuries on other parts of the body including on hand. From the medical papers it appears that the victim had to undergo a surgery and metal implant had to be inserted.

Learned counsel appearing on behalf of the petitioner submits that his client would take necessary steps to file application for cancellation of anticipatory bail granted to the accused.

Learned counsel appearing on behalf of the private respondents denies the allegations and submits that the injuries suffered were in the midst of a free fight between two groups.

From the materials in the case diary, it is quite apparent that there was a grievous hurt. One then wonders as to why the Investigating Agency could not explore the possibility of whether this was a case of grievous hurt caused by dangerous means.

Be that as it may, the investigation shall be concluded expeditiously and in accordance with law and after taking into consideration the observations made by this Court in this matter.

Further investigation of the case shall be carried out under the supervision of the Deputy Commissioner of Police, East Zone, Asansol, Durgapur Police Commissionerate.

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

With these observations, the writ petition is disposed of.

Urgent Photostat certified copy of this order be supplied to the parties expeditiously, if applied for.

(Jay Sengupta, J)