

30.11.2023

Item No.210

Ct.No.34

dc.

C.R.M. (SB) 210 of 2023

In Re : An Application for cancellation of bail under Section 439(2) read with Section 482 of the Code of Criminal Procedure, 1973.

And

In Re : **Gopal Chandra Nayak** ... Petitioner.

Mr. Arun Kumar Maiti (Mohanty),
Ms. Kaberi Sengupta (Maiti),
Mr. R. R. Mohanty,
Ms. Snigdha Ghosh,
Mr. Shivam Saha,
Ms. Komal Shaw ... For the Petitioner.

Mr. Maiti, learned advocate appearing for the petitioner submits that although an application for cancellation of bail has been preferred, but since the provision of SC and ST (Prevention of Atrocities) Act, 1989 is involved, an appeal under Section 14A is required to be preferred under the relevant provisions of law.

Accordingly, the application being CRM (SB) 210 of 2023 is dismissed as not pressed.

The petitioner would be at liberty to prefer an appeal in accordance with the provisions of law on the selfsame set of facts.

Learned advocate-on-record of the petitioner is granted liberty to take back the certified copy after the same is replaced by photostat copy from the department.

All concerned parties shall act on the server copy of this order duly downloaded from the official *website* of this Court.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Tirthankar Ghosh, J.)