

02.11.2023
Item No.10
Court No.5.
S. De/ b.das

WPA 25769 of 2023

Abdul Aref.
Vs.
The State of West Bengal & Ors.

Mr. Masud Mallik,
Mr. Imtiaz Akhtar,
Mr. Omar Faruk Gazi, ...for the petitioner.

Mr. Shamim-Ul-Bari,
Ms. Tanuza Basak, ...for the State.

Report filed on behalf of the State is taken on record.

Learned advocate appearing on behalf of the petitioner submits as follows. The petitioner's wife had contested the Panchayat Election on the ticket of an opposition political party and won the seat. As a result of her political allegiance, the local miscreants and the local administration have been unnecessarily harassing the present petitioner by foisting false cases and by making circumstances not conducive for his return to his own home. The petitioner was either granted bail or anticipatory bail in connection with the eight FIRs lodged against him by the local Police Authorities. There were conditions imposed to meet the I.O. The petitioner is unable to comply with those conditions because of the situation created by the local antisocials and the police

authorities. Appropriate directions be passed so that the petitioner can return to his own home.

Learned counsel appearing on behalf of the State submits as follows. There are several cases pending against the present petitioner. However, as regards the allegations made by the petitioner about receiving threatening calls, the petitioner has not co-operated by giving the necessary details like phone numbers.

It appears that the petitioner has either been granted bail or has obtained anticipatory bail in connection with the eight cases enumerated in the writ petition.

In any event, there should be no impediment to his return to his own residence.

Let the petitioner intimate the Officer-in-Charge of the English Bazar Police Station about his intended date, time and return within 24 hours' notice. The Officer shall make arrangement for police escort to accompany the petitioner to his own residence. The entry of the petitioner to his residence shall be video-graphed.

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

The petitioner shall also co-operate with the police authorities by providing necessary details, phone numbers regarding his own allegations about receiving threatening calls.

No further order need be passed in this regard.

With these observations, the writ petition being WPA 25769 of 2023 is, accordingly, disposed of.

Urgent certified photostat copy of this order, if applied for, shall be given to the parties as expeditiously as possible on compliance with all the necessary formalities.

(Jay Sengupta, J.)