

28.02.2023
Court No.13
Item No.18
AP

WPA 26657 of 2022

**Shabana Islam
Vs.
The State of West Bengal and Ors.**

Mr. Shareq Siddique
Mr. Shabaz Alam
Mr. Shahnawaz Alam

... For the petitioner.

Mr. Sudip Dutta
Mr. Rahul Ganguly

... For the respondent Nos.11 & 12.

The petitioner is aggrieved by the over action of the Amherst Street Police Station. It is submitted that on the night of 23rd November, 2022 Amherst Street Police along with certain persons, had forcibly entered into the petitioner's residence without the presence of a lady constable. The police thereafter left the place.

The Officer-in-Charge, Amherst Street Police Station has filed a report dated 28th February, 2023 and the same is taken on record.

It appears from the report that the police in connection with Amherst Street Police Station Case No.21 dated 26th January, 2022 under Sections 406, 420, 467, 468, 469, 471, 120B of the IPC, went to raid the petitioner's premises to apprehend Sajid Akhtar and Majid Akhtar, brothers of the writ petitioner. The said Sajid Akhtar and Majid Akhtar were subsequently taken into custody and are on police remand as on date.

Since the petitioner complains of omissions on the part of the Amherst Street Police in conducting raid in the night, the Commissioner of Police, Kolkata may look into the compliance of the rules by the Amherst Street Police in having conducted such raid.

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.)