

22.03.2023

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Ct. No. 29

CHC

C.R.M. (DB) 4525 of 2022

In Re: An application under Section 439(2) of the Code of Criminal Procedure, 1973.

AND

In the matter of: Shaik Abdul Kajid

..... petitioner

Mr. Sutanu Chakraborty,
Mr. Falguni Bandyopadhyay,
Ms. Riya Ballav

...for the petitioner

Mr. Tanmoy Kr. Ghosh,
Ms. Pritha Paul

...for the State

Mr. Kallol Kumar Basu,
Md. Jannat Ul Firdous

...for the private opposite nos.2 to 11

Petitioner is seeking cancellation of the order granting anticipatory bail dated August 13, 2021 passed in CMC No.1449 of 2021 to the private opposite parties.

Learned advocate appearing for the petitioner refers to the post bail misconduct of the private opposite parties and submits that, the private opposite parties threatened and assaulted the petitioner subsequent to the obtaining of the order granting anticipatory bail. He submits that, petitioner lodged a complaint to the police. He seeks protection.

State and the private opposite parties are represented.

In reply, to query of the Court, as to whether, there is any evidence in the petition establishing that the complaints to the

police were received by the police or not, the answer is in the negative.

In view of the fact that petitioner is unable to substantiate that the petitioner lodged police complaint with regard to the alleged post bail conduct of the private opposite parties, we find no substance with regard to the contention of the post bail misconduct.

The order granting anticipatory bail contains reasons for grant of the order.

Learned Judge opined that on the basis of materials in the case diary he was unable to find any cogent and tangible material against private opposite parties to warrant custody.

In such circumstances, C.R.M.(DB) 4525 of 2022 is dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)