

09.02.2023
Court No.13
Item No.1
AP

WPA 27191 of 2014
With
CAN 2 of 2016 (Old No: CAN 10347 of 2016)
With
CAN 5 of 2023
Soumitra Kumar Jha
Vs.
The State of West Bengal and Ors.

Mr. B.N. Ray
Ms. Shetparna Ray

... For the petitioner.

In Re.: CAN 5 of 2023

Sufficient grounds were available for explaining the absence of the writ petitioner on 25th January, 2023.

Hence, the said order is recalled.

WPA 27191 of 2014 is restored to its file and number.

Accordingly, CAN 5 of 2023 shall stand allowed.

In Re.: WPA 27191 of 2014

I.C., Manikchak Police Station, Malda has filed a report dated 8th February, 2023 and the same is taken on record. A copy of such report be made available to the counsel for the petitioner.

It appears from the report that several FIRs have been registered and charge sheet being Manikchak PS charge sheet No.98/11 dated 30th June, 2011 under Sections 447, 379, 506, 34 of the IPC and charge sheet No.543/22 dated 15th October, 2022 under Sections 143,144, 326, 307, 302, 120B of the IPC and read with Sections 3, 4 of the ES Act have been filed. The 2nd charge sheet is in respect of a bomb blast in the area in which

four persons died. The said charge sheet was pursuant to a suo motu FIR.

Another charge sheet being Manikchak PS charge sheet No.148/22 dated 8th April, 2022 under Sections 447, 323, 506, 34 of the IPC has been filed on the complaint of the mother of the petitioner.

A further charge sheet being Manikchak PS charge sheet No.451/22 dated 31st August, 2022 under Sections 447, 427, 506, 34 of the IPC has also been filed on the complaint of the petitioner's caretaker.

Therefore, this Court sees no inaction on the part of the police.

Admittedly, the petitioner stays in Kolkata. The land and orchard in question are at Malda. The petitioner is required to secure his land and orchard effectively and put in place his own security.

In the event the petitioner expresses any concerns, in visiting his land and orchard at Malda, Manikchak Police shall extend necessary protection and cooperation in this regard.

With the aforesaid directions, the writ petition shall stand disposed of.

In view of the disposal of the main writ petition connected applications, if any, shall also 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.)