

20.02.2023.
Court No.13
Item No. 3
ap

W.P.A. No. 28706 of 2022
Achinta Bhattacharya
Versus
The State of West Bengal & Ors.

Mr. Rajib Kumar Basu.

...For the petitioner.

The petitioner complains that the private respondents are encroaching upon his property and have been demanding land to construct a temple. Upon the petitioner's refusal, he was prevented from entering the village. The petitioner is unable to enter into his house out of fear from the private respondents. Certain articles from the petitioner's house have already been stolen.

It appears from the records that Tehatta Police Station, Nadia, on the petitioner's complaint, has registered FIR being No. 1034 of 2022 dated 20.11.2022. It further appears from the records that investigation is on and the private respondents have obtained anticipatory bail.

This Court notes that the police have issued a notice under Section 41A of the Code of Criminal Procedure. In the event, the accused persons do not co-operate or in the event of any further threat or intimidation or offence on the petitioner, Tehatta Police Station shall immediately apply for cancellation of bail of the accused persons.

In the meantime, the petitioner and his family members shall be escorted back into his house and a police picket, comprising of two constables, shall be posted outside the petitioner's residence for a period of seven days from date.

It is ordered that investigation into the subject FIR is completed as expeditiously as possible, preferably within a period of one month from date.

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

There will be no order as to costs.

All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)