

03.09.2024
Court No.29
Item No. 156

sg

CRM (DB) 469 of 2024

In Re:- An application for cancellation of bail under Section 439(2) of the Code of Criminal Procedure.

And

In Re: **Kamal Kumar Verma**

Petitioner

Mr. Satadru Lahiri
Mr. Safar Azam
Mr. Jyotirmoy Talukdar

For the petitioner

Ms. S.S. Imam
Ms. Sonali Bhar

For the State

Mr. Aritra Bhattacharya
Mr. Amit Halder

For the respondent no.2.

1. This is an application for cancellation of bail.
2. It is submitted that the petitioner has not fulfilled the conditions laid down in paragraphs 6 and 7 of the order. Surprisingly, the State has not filed any application for cancellation for non-compliance. Presumably, the State should be known of all things.
3. The oral submission on behalf of the investigating agency that I.O. could not find the petitioner at the address, is clearly not acceptable as I.O. is only to intimate the accused to meet him on the day and time fixed by him for the purpose investigation till submission of final form. The dispute between the parties has been summarized in paragraphs 2 and 3 of the order dated 11th October, 2023 granted anticipatory bail to the petitioner.

4. We do not find any substance in this application to be considered relevant for the purpose of cancellation. Moreover, the opposite party no.2 is appearing before the trial court on each and every date.
5. The only modification that we may make to the earlier order is that since the final report has not been submitted, the opposite party no.2 shall meet the I.O. once in a week till the submission of final report.
6. CRM(DB) 469 of 2024 is thus disposed of.

(Soumen Sen, J.)

(Shampa Dutt (Paul), J.)