

Item No.21
Ct.No.34
dc.

C.R.M. (SB) 32 of 2024

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

And

In Re : **Kamal Halder** ... Petitioner.

Mr. Somnath Banerjee,
Mr. Pronojit Roy ... For the Petitioner.

Ms. Jonaki Saha ... For the State.

Mr. Sankar Prasad Dalapati,
Mr. Sourov Mondal ... For the Opposite Party Nos.2 to 5.

Report dated 16.05.2024 submitted by the State be
kept with the record.

I have perused the case diary submitted by the State and I am not satisfied with the contents of the injury report and the opinion of the doctor. Mere stating that the injury is simple, do not substantiate the contents. Bail was granted to the private opposite parties on 09.10.2023. As such, I am not inclined to interfere at this stage.

Learned advocate appearing for the petitioner/*de facto* complainant submits that the petitioner has subsequently being threatened after the accused were granted bail.

The learned Additional Chief Judicial Magistrate, Diamond Harbour or any trial court in seisin of the case being Mathurapur Police Station Case No. 110 of 2023 dated 11.05.2023 is directed that if further incidents of similar nature take place and the present petitioner or the *de facto* complainant even after informing the police authorities do not get any remedy and take out an application before the

learned trial court, the learned trial court would alter and/or modify the conditions relating to bail.

With the aforesaid observations, the application being CRM (SB) 32 of 2024 is disposed of.

Pending connected application, if any, is consequently disposed of.

All parties shall act on the server copy of this order duly downloaded from the official *website* of this Court.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Tirthankar Ghosh, J.)