

26.07.2024
Item no. 7.
Court No.28.
AB

CRM (DB) 1655 of 2024

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure, 1973,

And

In the matter of : Abu Samad

.....Petitioner.

Mr. Rajeev Lochan

Ms. Riya Jhapri

.....for the Petitioner.

Mr. Arun Kr. Maity,

Mr. Bhaskar Prosad Banerjee

Mr. Debasish Tandon

.....for the NIA.

Dictated by Arijit Banerjee, J.

1. Learned Advocate for NIA takes a preliminary objection to the maintainability of the bail petition filed under Section 439 Cr.P.C. He says that under Section 21 of the NIA Act, the appropriate remedy is an appeal.
2. After considering the relevant case laws, Mr. Lochan, learned Advocate for the petitioner, on instruction, says that he will withdraw this application and file appropriate proceedings in accordance with law.
3. Leave is granted to the petitioner to withdraw this application with liberty to file afresh proceedings as per law.
4. CRM (DB) 1655 of 2024 is dismissed as withdrawn.

5. All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Arijit Banerjee, J.)

(Apurba Sinha Ray, J.)