

46 23.04.2024
(AD) Court No.29
(Dismissed)

C.R.M. (DB) 2688 of 2023

In Re: - An application for cancellation of anticipatory bail under Section 439(2) of the Code of Criminal Procedure, 1973.

And

In the matter of: Ekhlaque Ahmed Ansari

.... petitioner.

Mr. Rohan Ojha
Mr. Surojit Saha
Mr. Shamim Aktar

... for the petitioner.

Mr. Sudip Kumar

... for the State

Mr. Joy Chakraborty
Ms. Ipsita Ghosh

... for the opposite party no.2.

1. Affidavits filed in Court be taken on record.
2. Petitioner prays for cancellation of order dated June 1, 2023 passed in CRM (A) 2147 of 2023 by the Coordinate Bench.
3. Post-bail misconduct is not the case of the petitioner. Petitioner alleges that, the order was obtained by suppression of material facts. Order was passed in presence of the private opposite party and the State.
4. The order records that, the police case was based primarily on documents and related to disputes arising out of an agreement and, therefore, the Court found that custodial detention was not required. Therefore, we are unable to return a finding that any document or misrepresentation of fact was made to the Hon'ble Court while the Court passed that order on June 1, 2023.
5. In such circumstances, we find no merit in the present application.

6. Accordingly, **C.R.M. (DB) 2688 of 2023** is dismissed without any order as to costs.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)