

Item No.97
Ct.No.34
dc.

C.R.M. (SB) 155 of 2023

In Re : An Application under Section 439(2) of the Code of Criminal Procedure, 1973.

And

In Re : **Biswanath Ghosh** ... Petitioner.

Mr. Bidyut Kumar Halder,
Mr. Indranil Halder,
Ms. Neha Singh ... For the Petitioner.

Mr. Imran Ali,
Ms. Debjani Sahu ... For the State.

The Memo of Evidence filed on behalf of the State be kept with the record.

The petitioner is aggrieved by the order dated 24.08.2021 by dint of which the private opposite parties were granted bail by the learned Additional Chief Judicial Magistrate, Bongaon.

I find that the investigation has already been concluded and the order under challenge is of the year 2021. If the petitioner prefers an application enclosing documents and materials to substantiate that there has been misuse of liberty of bail granted to the private opposite parties herein, the learned Additional Chief Judicial Magistrate, Bongaon or the jurisdictional court in seisin of Gaighata Police Station Case No. 229 of 2021 would consider the same in accordance with law without being influenced by any observations made by this Court.

With the aforesaid observations, the application being CRM (SB) 155 of 2023 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.)