

Sl.No.
2 08.11.2024
Court
No. 35
G.S.Das

WPA 19790 of 2024

Atanu Bhattacharya
-Vs-
The State of West Bengal & Ors.

Mr. Sudipto Maitra
Mr. Subrata Saha
Mr. Dwaipayan Biswas

... for the Petitioner
Mr. Jayanta Samanta, Jr. Govt. Adv.
Mr. Keshab Chandra Das
... for the State-respondents
Mr. Muktswar Maity
Ms. Nupur Chaudhuri
... for the respondent nos. 7 and 8

The subject-matter, primarily, which

has raised grievance of the petitioner

relates to the quantum of Rs.14 lakh and

the manner in which the same was

obtained.

To that effect, Mathurapur P.S.

Case No. 05/2024 dated 06.01.2024 was

registered for investigation under Sections

341/386/506/120B of the IPC.

The investigating officer, as is reflected from the report, has been able to trace out the amount of Rs. 14 lakh which has been presently traced in the account maintained by one Sanat Kumar Majhi with the Central Bank of India.

State would furnish the account details to the learned advocate appearing for the petitioner.

Learned advocate for the private respondent nos. 7 and 8 opposes the contentions advanced by the petitioner and submits that there were dues in respect of labour payment for which the said amount was paid.

Learned advocate for the State submits that substantial materials have been collected and the investigating authority is almost in a position to submit their report in final form.

Having considered such submissions of the learned advocate appearing for the State, I direct that the investigating agency would preferably within a period of two months from date submit the report under Section 173 of the cr.p.c.

However, since the criminal case has been registered and the investigation is continuing and, the petitioner is having financial crunch as submitted by the learned Senior Advocate appearing for the petitioner, I direct the learned Judicial Magistrate to release the amount of Rs.14 lakh in favour of the petitioner subject to a bank guarantee of the same amount being furnished by the petitioner which will be retained till the end of the trial of the case.

However, the aforesaid direction is without any prejudice to the rights and contentions of the parties and the

respondent no.2 would be at liberty to place his case at the appropriate stage regarding the quantum which is a part of the investigation.

With the aforesaid observations, WPA 19790 of 2024 is disposed of.

Parties to act on a server copy of this order duly collected from the official website of the Hon'ble High Court, Calcutta.

(Tirthankar Ghosh, J.)