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26.02.2024
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C.R.M.(SB) 184 of 2023

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

Avijit Ata
Versus
The State of West Bengal and others

Mr. Pawan Kumar Gupta
Ms. Sofia Nesar
Mr. Santanu Sett
Mr. Sharadindu Patra.

...for the private opposite parties.

Mr. Anwar Hossain
Ms. Manisha Sharma.
...for the State.

None appears for the petitioner when the application for cancellation of bail is called. Earlier, the petitioner did not appear on 30th November, 2023 and 5th February, 2024. Accordingly, the application for cancellation of bail is taken up on merits. The subject matter of the application relates to a prayer for interfering with the order dated 30th December, 2022 passed by the learned ACJM, Ghatal, Paschim Midnapore in connection with Ghatal Police Station Case No.454 of 2022 which was registered for investigation under Sections 341/323/354/379/506/34 of the Indian Penal Code.

Mr. Gupta, learned advocate appears on behalf of the private opposite parties and submits that another application for cancellation of bail being CRM(SB) 159 of 2023 was initiated at the instance of the present private opposite parties which was disposed of on 15.09.2023.

There is a case which has been filed at the instance of the present petitioner as well as a separate case filed at the instance of the opposite parties, both are at loggerheads.

Having considered the nature of the offences complained of and the fact that the investigating agency has already submitted their charge-sheet before the jurisdictional court in the month of January, 2023, I am of the view that no interference is required in respect of the order under challenge.

Accordingly, CRM(SB) 184 of 2023 is dismissed.

Case diary be returned to the learned advocate appearing for the State.

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 of all requisite formalities.

(Tirthankar Ghosh, J.)