

58 23.04.2024
rpan Court No.29

C.R.M. (DB) 3750 of 2023

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

And

In the matter of: - Sagar Das

...petitioner.

Mr.Apalak Basu,
Ms. Sanghamitra Mridha

... for the petitioner.

Mr. Md. Adil Badr,
Mr. Nirupam Dhali

... for the State.

Mr. Somnath Banerjee,
Mr. Pronojit Roy

... for the O. P. nos.2-6.

Petitioner seeks cancellation of the anticipatory bail granted on June 28, 2023 by the learned Sessions Judge in-charge, Burdwan in Criminal Misc. Case no. 1123 of 2023.

Learned advocate appearing for the petitioner submits that, the injured suffered grievous hurt. The learned Judge did not consider the injury report in the correct perspective. Moreover, the private opposite parties are guilty of post bail misconduct.

Affidavits filed in court be taken on record.

It appears from the records that, learned Sessions Judge in-charge, Burdwan took into consideration, the materials on record placed before the court including the case diary and the injury report. Learned Judge, thereafter, considering such aspect proceeded to grant anticipatory bail to private opposite parties.

The injury report speaks of cut injury. The injury was classified as simple.

Police filed chargesheet *inter alia*, under Section 325 of the

Indian Penal Code, 1860.

The claim of post bail misconduct remains unsubstantiated.

In such circumstances, we do not find any reason to cancel the anticipatory bail granted to the private opposite parties.

CRM (DB) 3750 of 2023 is dismissed without any order as to the costs.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)