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CRM (DB) No. 4425 of 2023

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

AND

In Re : Morjina Bibi petitioner

Mr. Satadru Lahiri

Mr. Safdar Azam

.... for the petitioner

Mr. Anwar Hossain

Mr. Arif Ekbal Molla

.... for the State

Mr. Dipayan Kundu

.... for the opposite party no. 2 & 3

1. Learned Counsel for the petitioner submits she has assailed bail granted to the opposite parties no. 2 and 3. It is submitted gravity of the offence had not been considered and opposite parties no. 2 and 3 have misused their liberty while on bail.

2. We have considered the materials on record. We have also examined the impugned order. Opposite parties no. 2 and 3 were in custody for a fortnight and after considering the nature of allegations and materials on record they have been granted ad interim bail. We do not find any illegality or perversity in the order impugned. With regard to misuse of liberty, we note the issue may be agitated before the Court which granted bail.

3. With this observation, the application is disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)