

W.P.A. 26801 of 2023

Arun Bouri @ Kalo
Vs.
The State of West Bengal & Ors.

Mr. Rajdeep Mazumder
Mr. Moyukh Mukherjee
Ms. Sagnika Banerjee
Ms. Sarmistha Basak ... for the petitioner

Mr. Suman Ghosh
Mr. Sabyasachi Bhattacharjee ... for the State

Report filed on behalf of the State is taken on record.

Learned counsel appearing on behalf of the petitioner submits as follows. The accused committed serious offences. Their anticipatory bail was turned down by the Sessions Court. The Investigating Officer made a prayer before the learned Trial Court for issuance of warrant of arrest. Yet, the same remained pending. It was suspected that the G.R.O. did not put up the prayer of the prosecution before the learned Magistrate in time. In the meantime, the counter case has been transferred to the C.I.D.

Learned counsel appearing on behalf of the State relies on the report and submits as follows. By an order dated 05.2.2024 passed in C.R.M. (A) 5527 of 2023, this Court granted anticipatory bail to the accused. Thereafter, the accused surrendered before the learned Trial Court and obtained bail. At present, the case is being investigated by the Detective Department, Assansol Durgapur Police Commissionerate.

It appears that, the petitioner, has pointed out suspicious circumstances in which the prayer for issuance of warrant of arrest was not placed before the learned Magistrate in time. However, all these issues pale into insignificance in view of the order of anticipatory bail passed by a Division Bench of this Court.

However, it is also true that the counter case being Asansol North P.S. Case No. 54 dated 30.10.2023 has been transferred to the C.I.D.

In all fairness and for the sake of convenience, both the connected cases ought to be investigated by the same Investigating Agency.

In view of the above, and in the interest of justice, let the investigation of Asansol North P.S. Case No. 455 dated 30.10.2023 be transferred to the C.I.D. forthwith.

With these observations, the writ petition is **disposed of**.

Parties shall act on a server copy downloaded from the official website of this Court.

(Jay Sengupta, J.)