

D/L84
14.01.2025
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ct.no.35

W.P.A.113 of 2025

**Kanchan Kumar Das
Versus
The State of West Bengal & Ors.**

Mr. Simanta Kabir
Mr. Chandan Sekh
Mr. Totan Some
Mr. Avik Pramanick.
...for the petitioner.

Mr. Vimal Kumar Shahi
Mrs. Pratiti Das.
...for the State-respondents.

Affidavit of service filed by the petitioner be kept with the record.

Petitioner claims that pursuant to the order passed by the learned Sessions Judge in Criminal Revision No.85 of 2023, he furnished bond with the learned CJM, Purba Bardhaman on 07.10.2024. Thereafter, he was handed over with the key but the vehicle was never handed over to him.

State has submitted a report. Report reflects that the police authorities have maintained a General Diary Entry in respect of return of the seized vehicle after obtaining the signature of the present petitioner in the noted space of the register. There are certain other facts which have been narrated by the police authorities in respect of support of their contentions.

Be that as it may, petitioner has already approached the sessions court as also the jurisdiction of the learned CJM, Purba Bardhaman. No information was furnished to the concerned judicial authorities. As such, the plea which has been taken in the present writ petition without either any application to the concerned Magistrate as also any other appropriate administrative authority for the first time before this Court challenges the very foundation of creation of factual circumstances. Accordingly, this Court is not inclined to interfere with the prayers advanced.

WPA 113 of 2025 is dismissed.

Report submitted by the State be kept with the record.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

Urgent photostat certified copies of this order, if applied for, be given to the parties upon compliance of all requisite formalities.

(Tirthankar Ghosh, J.)