

28.02.2025
Item No.119
Court No.26
CHC

CRM (DB) 111 of 2024

In re : An Application for cancellation of bail under Section 439(2) read with Section 482 of the Code of Criminal Procedure, 1973 in connection with **Ketugram** Police Station Case No. **427** of **2023** dated **05.06.2023** under Sections **306/120B** of the Indian Penal Code.

-And-

In the matter of : Najera Bibi

... .. Petitioner

Mr. Sandipan Das, Advocate
Mr. Badrul Karim, Advocate
... .. *For the Petitioner*

Mr. Joydeep Roy, Advocate
Mr. Pravas Bhattacharya, Advocate
... ..*For the State*

Mr. Uday Sankar Chattopadhyay, Advocate
Ms. Rajashree Tah, Advocate
Ms. Bidisha Chakraborty, Advocate
Ms. Sadia Parveen, Advocate
Ms. Aishwarya Datta, Advocate
...for the opposite party no.2

1. Petitioner seeks cancellation of bail granted by the jurisdictional Court on July 6, 2023 passed in CrI Misc. Case No.334 of 2023.
2. Learned advocate appearing for the petitioner submits that the, police initially filed charge sheet *inter alia* under Section 306 of the Indian Penal Code, 1860. Petitioner approached the Constitution Writ Jurisdiction of the High Court when orders were passed. He submits that, the private opposite party is guilty of post bail misconduct. He refers two criminal cases being registered as against the private opposite party.
3. State and the private opposite party are represented.

4. We perused the Case Diary. We also perused the Post Mortem Report and the forensic evidence available.
5. Apparently, the victim committed suicide. Forensic report explains how, the victim could scale up to the place where he was found hanging.
6. Further investigation was directed by the High Court through a different investigating agency. Nothing is on record to suggest that, further investigation by the different investigating agency resulted in a charge sheet under Section 302 of the Indian Penal Code, 1860.
7. Impugned order contains reasons as to grant of bail.
8. We find no infirmity in such order.
9. In such circumstances, CRM(DB) 111 of 2024 is **dismissed**.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)