

07.03.2025
21, 22 & 24
Court No.26
S.D.

CRM (DB) 3652 of 2024

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

-And-

In the matter of: State of West Bengal

... .. Petitioner

With

CRM (DB) 190 of 2025

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

-And-

In the matter of: Manjura Begum

... .. Petitioner

With

CRM (DB) 3764 of 2024

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

-And-

In the matter of: State of West Bengal

... .. Petitioner

Ms. Rituparna De Ghose

Ms. Eshita Dutta

... For the Petitioner in C.R.M. (DB) 3652 of 2024
& C.R.M. (DB) 3764 of 2024

Mr. Niladri Sekhar Ghosh

Ms. Sompurna Chatterjee

Ms. Laboni Sikder

Mr. Souvik Dey

...For the petitioner in C.R.M. (DB) 190 of 2025 and
 intervenor in C.R.M. 3652 (DB) of 2024 and
 C.R.M. (DB) 3764 of 2024

Mr. Saryati Datta
 Ms. Rajnandini Das
 ..For the State in C.R.M. (DB) 190 of 2025
 Mr. Uday Sankar Chattopadhyay
 Mr. Suman Sankar Chatterjee
 Ms. Trisha Rakshit
 Ms. Bidisha Chakraborty
 Mr. Anik Bhattacharya
 ...For the O.P. in C.R.M. (db) 3652 of 2024 and
 In C.R.M. (DB) 3764 of 2024

Three applications for cancellation of bail are taken up for analogous consideration as they relate to the same police case. Two are at the behest of the State and one at the behest of the mother of the victim.

State's application for cancellation of bail is founded upon perversity of the order as also post bail misconduct. So also the application for cancellation of bail by the mother of the victim.

The three applications were taken up for consideration earlier by this Court then there were allegations of the defacto complainant entered into the compromise with the accused. We, therefore, called upon the State to submit a report with regard thereto.

Report submitted in Court on behalf of the State be taken on record.

Report states that there is no direct evidence of any compromise between the defacto complainant and the accused. The report also speaks of one incident of threat by the accused to the petitioner. Report, however says a silent

as to any further incident of post bail violation subsequent to the State filing the application for cancellation.

One of the conditions for grant of bail to the private opposite parties that they should not leave the jurisdiction of the local Court. Apparently, State found it difficult to serve notices to the opposite party due to their absence at the notifying residence.

Private opposite parties are represented.

Private opposite parties will intimate their place of residence to the Officer-in-Charge of the local police station where the police case stands registered.

The incident of threat noted in the report of the State is not of such nature so as to warrant the cancellation of bail on the plea of post bail misconduct. Mother of the victim may participate at the trial, if so advised in accordance with law.

In such circumstances, we find no ground to cancel any of the bail existing in favour of the private opposite parties in all the three applications for cancellation of bail.

In such circumstances, **C.R.M. (DB) 3652 of 2024, C.R.M. (DB) 190 of 2025 and C.R.M. (DB) 3764 of 2024** are stand **dismissed**.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)

