

27.01.2025
Court No.35
Sl No.85
CP

WPA No. 1265 of 2025

Somnath Biswas
- Versus -
The State of West Bengal & Ors.

Mr. Dhananjay Banerjee
.... for the petitioner.

Mr. Jayanta Samanta
Ms. Paromita Malakar Dutta
....for the State.

Mr. Anirban Das
.....for the respondent no.4.

Petitioner is aggrieved by the fact that at his instance Nadanghat P.S. Case No. 04/25 dated 03.01.2025 was registered for investigation under Sections 126(2)/115(2)/110/351(2)/303(2)/3(5) B.N.S. The present allegation is that the accused persons are roaming around and threatening the petitioner to withdraw the case. To that effect information has been furnished with the police authorities but the police authorities did not take any steps.

Mr. Samanta, learned advocate appearing for the State, submits that the investigating agency is effectively carrying out the investigation as the investigating officer has recorded the statement of the witnesses, collected the injury report and issued notices under Section 35(3) of the B.N.S.S. but the accused persons have not responded.

Learned advocate appearing for the private respondents, submits that the private respondents have approached for anticipatory bail before the jurisdictional sessions court.

Having considered the main grievance of the petitioner at this stage that he is subjected to some threat for withdrawal of the case, petitioner is given the liberty to apply before the learned Magistrate for apply under the Witnesses Protection Scheme, 2018. If such application is made, the learned Magistrate will call for a threat perception report and assess and ascertain the same and, accordingly, pass necessary directions upon the investigating officer of the case.

With the aforesaid observations, the writ petition being WPA No. 1265 of 2025 is disposed of.

The report submitted be kept with the record.

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

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

(Tirthankar Ghosh, J.)