

30.01.2025

Item No.84

Ct. No.35

dc.

W.P.A. 1706 of 2025

**Sk. Nurnabi
versus
The State of West Bengal & Ors.**

Mr. Mujibar Ali Naskar,
Mr. Sandip Kumar Mondal ... For the Petitioner.

Mr. Dipanjan Datta,
Mr. Sayan Datta ... For the State.

Affidavit-of-service filed in Court today be kept with the record.

Report submitted by the learned advocate appearing for the State be also kept with the record. A copy of the report (without enclosures) be handed over to the learned advocate appearing for the petitioner.

The petitioner has complained against the private respondents subsequent to which Pathar Pratima Police Station Case No. 08/2025 dated 08.01.2025 has been registered for investigation and subsequent to the muscles being flexed by the private respondents, he is unable to enter the locality and stay at his residence.

State has submitted a report which reflects that the petitioner is normally staying at his residence, but was not available as a case being Pathar Pratima Police Station Case No. 353/2024 was registered against him for which he was out of his house for two months. The petitioner has obtained anticipatory bail according to the report

and is presently staying at his house peacefully without being disturbed by any localities.

In view of the police report reflecting the petitioner is staying at his residence, I am of the view that no order need be passed in the writ petition except to the extent that if the petitioner is unable to stay because of any excesses inflicted upon him by the local people, the learned Magistrate would ensure that the Officer-in-Charge, Pathar Pratima Police Station provides proper escort for his smooth entry at the residence. However, in case any condition has been imposed by a court of law, it would be for the said court to modify or waive such condition of bail. The petitioner would file in that case an application before the court which has passed the order or its appellate authority.

With the aforesaid observations, the writ petition being WPA 1706 of 2025 is disposed of.

There will be no order as to costs.

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.)