

10.03.2025
63 & 64
Court No.26
S.D.

C.R.M (DB) 304 of 2024
With
C.R.M. (DB) 364 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: Sanjay Shankar Mishra

... .. Petitioner

Mr. Amit Singh

...For the Petitioner

Mr. Soumyajit Das Mahapatra

Mr. Soumya Basu Raoy Chowdhury

... .. For the O.P. No. 2

Mr. Rudradipta Nandy, Ld. A.P.P.,

...For the State

Two applications for cancellation are taken up for
analogous hearing as they relate to the same police case.

Private opposite parties are the husband of sister-in-
law and the sister-in-law.

Husband was enlarged on bail. Initially charge sheet
was submitted *inter alia* under Section 306 of the IPC after
conducting an investigation, *inter alia* under 302 thereof.
Subsequently, On Coordinate Bench making observations in
an application for bail filed by the husband, police added
Section 302 of the IPC to the charge sheet.

Subsequent to the addition of the provision of Section 302 of the IPC to the charge sheet, husband was enlarged on bail by the Coordinate Bench.

Contention of the petitioner before us is that the investigations were not proper and that appropriate materials were not considered and that the learned Jurisdictional Court did not consider the materials in the case diary.

Coordinate Bench thought it prudent to enlarge the husband of the victim. No post bail misconduct is established before us so far as the opposite parties are concerned.

In such circumstances, we are not minded to interfere with the order granting bail to the private opposite parties.

C.R.M. (DB) 304 of 2024 and **C.R.M. (DB) 364 of 2024** stand **dismissed**.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)