

03.03.2025
56
Court No.26
S.D.
Dismissed

CRM (DB) 480 of 2023

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
Mr. Rudradipta Nandy, Ld. A.P.P.
Ms. Sonali Das
...For the State/Petitioner

Mr. Avik Ghatak
Mr. Saibal Dasgupta
... .. For the O.P. Nos. 1 to 3

State's application for cancellation of bail granted to
the three private opposite parties is taken up for
consideration.

Police case involves murder.

Bail was granted to the private opposite parties on
December 23, 2022. Since then, prosecution witnesses are
being examined. Out of 57 prosecution witnesses, 43 were
examined at the trial.

Possibility of the trial ending in the near future is
remote.

No post bail misconduct is brought to our notice.

Learned Jurisdictional Court took into consideration the period of custody of the private opposite parties and the submission of the learned Public Prosecutor that custodial interrogation and other formalities of investigation were complete. Learned Jurisdictional Court also noted that there was no prayer on behalf of the Investigating Officer for further custodial interrogation.

In such circumstances, learned Jurisdictional Court took into consideration the progress of the investigation proceeded to grant bail to the private opposite parties.

Purely on the principles of Article 21 of the Constitution of India, we are not minded to interfere with the order granting bail to the private opposite parties.

C.R.M. (DB) 480 of 2023 stands dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)