

06.03.2025

DL-42

Court No.26

CRM 1952 of 2021

(Disposed of)

(AD)

In re: An application for cancellation of bail under Section 439(2) of the Code of Criminal Procedure, 1973.

-And-

In the matter of : Ismail Khan

... ..Petitioner

Mr. Niladri Sekhar Ghosh, Advocate
Ms. Sompurna Chatterjee, Advocate
Mr.Sourav Mondal, Advocate
Ms. Labani Sikder, Advocate
Mr. Sourik Dey, Advocate

... for the petitioner.

Ms. Zareen Nasima Khan, Advocate
Mr. MFA Begg, Advocate

... ..For the State

1. Petitioner prays for cancellation of bail granted by the Sessions Court on November 17, 2020 passed in Cr. Misc Case No.260 of 2020.
2. None appears for the private opposite parties.
3. State is represented.
4. Report called for by the order dated February 28, 2025 filed in Court be taken on record.
5. Post-bail misconduct is the ground for cancellation of bail.
6. Learned Advocate appearing for the petitioner points out that, the order granting bail required the private opposite parties to stay outside the jurisdiction of the local police station which the private opposite parties flouted. In any event, there is a subsequent criminal case as against the private opposite parties.

7. Report of the State speaks of the private opposite parties residing within the jurisdiction of the local police station.
8. Order granting bail dated November 17, 2020 required the private opposite parties not to enter the jurisdiction of Arambagh police station excepting the dates on which their presence in Court is necessary.
9. On the basis of such report of the State, it can be held that, the private opposite parties flouted such condition of the order granting bail.
10. Moreover, there is a subsequent criminal case lodged as against the private opposite parties, namely, Arambagh Police Station Case No.72/2025 dated February 8, 2025 under Sections 232/352/351(3) of the BNS.
11. In view of the post-bail misconduct, we cancel the bail granted in favour of the private opposite parties on November 17, 2020.
12. Private opposite parties will surrender before the jurisdictional Court within seven days from date. In default, appropriate steps be taken by the jurisdictional Court to secure their presence.
13. **CRM 1952 of 2021 is disposed of.**

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)