

D/L 12
13.03.2025
Kausik
ct.no.35

W.P.A. 4729 of 2025

**Saheb Pradhan
Versus
The State of West Bengal & Ors.**

Mr. Anisur Rahaman
Mr. Sirajul Haque Mondal

...for the petitioner.

Mr. Jayanta Samanta, Jr. Govt. Adv.
Ms. Paromita Malakar (Dutta)

...for the state.

Petitioner is aggrieved by the fact that at his instance Berhampore Police Station Case No. 234/2025 was registered for investigation under section 108 of the BNS. However, in spite of the case being registered no effective steps have been taken by the Investigating Agency and till date there has been no arrest of the offenders. Further the accused persons are roaming freely and threatening the present petitioner and his family members.

State has submitted a report. Report reflects that several raids have been conducted. However, the accused could not be arrested till date.

Arrest is the exclusive domain of the investigating agency, as such a court of law will not direct whether or not to arrest a particular individual. However, if the accused is threatening

the petitioner and his family members, the petitioner will inform the investigating officer as well as file an application before the learned Magistrate already in seisin of Berhampore Police Station Case No. 234/2025. Learned magistrate will call for a threat perception report and pass necessary directions as he deems fit and proper under the Witness Protection Scheme, 2018.

With the aforesaid observations WPA 4729 of 2025 is disposed of.

Report so submitted be kept with the record.

A copy of the report be handed over to the learned advocate appearing for the petitioner.

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

(Tirthankar Ghosh, J.)