

C.R.M. (DB) No. 700 of 2024

In Re: - An application for cancellation of bail under Section 439(2) of Criminal Procedure in connection with Basirhat P.S. Case No. 847 of 2022 dated 19.12.2022, under Sections 302/120B/34 of Indian Penal Code.

In the matter of : Aruna Dey

Mr. Satadru Lahiri

Mr. Safdar Azam

....for the Petitioner

Mr. Rudradipta Nandy

... for the State

Mr. Soubhik Mitter

Mr. Litan Maitra

... for the private respondent

1. Affidavit in opposition filed by the private respondent is taken on record.
2. Affidavit in reply to the affidavit in opposition filed by the petitioner is also taken on record.
3. Petitioner seeks cancellation of bail granted by the High Court on the plea of post bail misconduct.
4. Learned counsel appearing for the petitioner submits that the private respondent entered into the jurisdiction of the local police station despite the order granting bail requiring him to do so. Private respondent enters the jurisdiction of local police station on the dates of the trial when he tries to meet with the prosecution witnesses to influence them. He submits that the private respondent obtained adjournment at the trial unnecessarily and for which, the prosecution filed an application for cancellation of bail.
5. State and private respondent are represented.

6. Learned advocate appearing for the private respondent submits that his client entered the jurisdiction of the local police station once in order to enter the bank to submit his K.Y.C. He denies the allegations that his client is trying to meet the prosecution witnesses.
7. Record reveals that, substantial number of prosecution witnesses were examined at the trial. Court is informed that about eight prosecution witnesses remain to be examined. Trial is in progress.
8. No doubt the private respondent will not seek any adjournment at the trial. If such prayer is made, the learned Trial Judge is requested not to grant any unnecessary adjournment to the private respondent.
9. Learned Trial Judge is requested to dispose of the trial as expeditiously as possible.
10. We are not inclined to cancel the bail subsisting in favour of the private respondent.
11. C.R.M (DB) 700 of 2024, is dismissed.
12. We clarify that we are not modifying any of the conditions of this order granting bail.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)