

25.03.2025
Item No.19
Ct. No.35
dc.

W.P.A. 5619 of 2025

Rana Das
versus
The State of West Bengal & Ors.

Mr. Avik Ghatak,
Mr. Amit Ranjan Pati,
Mr. Souvick Mitra,
Ms. S. Roy ... For the Petitioner.

Mr. Vimal Kumar Shahi, AGP,
Ms. Pratiti Das ... For the State.

Affidavit-of-service filed in Court today be kept with the record.

Report submitted by the learned advocate appearing for the State be also kept with the record.

The petitioner is aggrieved by the fact that a notice was served under Sections 179/94 of BNSS in connection with New Town P.S. Case No. 209/2024 dated 09.08.2024. The petitioner claims that contents of the said notice are such that the documents which have been called for from the petitioner cannot be and are not possible to be with the petitioner. The petitioner is further apprehensive since a similarly placed person was taken into custody in connection with the instant case.

This Court will not enter into the domain whether a person is innocent and whether the person is in possession of any document or not. If the person concerned who has been served with a notice in connection with a criminal case, it is the

duty of the person concerned to either respond to the notice issued by the investigating officer in connection with the criminal case or in the alternative, if he is apprehensive, he is to approach the jurisdictional court for necessary reliefs under the law.

I do not find any merit in the present writ petition.

Accordingly, the writ petition being WPA 5619 of 2025 is dismissed.

Needless to state that this Court has not entered into the domain of the accusations made in this writ petition nor has considered whether the petitioner is able to furnish any document or unable to furnish any document and neither any comments are made in respect of complicity of the petitioner in connection with the instant case.

There will be no order as to costs.

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

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Tirthankar Ghosh, J.)