

D/L 29
29.04.2025
Bpg.
ct.no.35

W.P.A.8117 of 2025

**Sri Atanu Bhattacharya
Versus
The State of West Bengal & Ors.**

Mr. Sudipto Maitra
Mr. Vijay Verma
Mr. Dwaipayan Biswas.
...for the petitioner.

Mr. Sirsanya Bandopadhyay
Mr. Debopriyo Karan.
...for the State-respondents.

Mr. Abhishek Tiwari.
...for the respondent no.5.

Affidavit-of-service filed by the petitioner be kept with the record.

Mr. Maitra, learned senior advocate appearing for the petitioner submits that the bank authorities claimed that only Rs.13 lakhs are lying in the account and, as such, it is not possible to honour the direction of the Court which is a sum of Rs.14 lakhs, as directed earlier.

In view of the aforesaid the sum of Rs.13 lakhs lying with the bank authorities be returned to the petitioner and the bank guarantee directed to be furnished is modified to the extent of Rs.13 lakhs.

So far as a sum of Rs.1 lakh which the petitioner claims was withdrawn at the behest of the accused and there was no endeavour by the

investigating agency, I am of the view that the same is a part of the investigation. If the petitioner is dissatisfied with the investigation of the case, petitioner will take out an appropriate application before the jurisdictional court.

Mr. Bandopadhyay, learned Senior Standing Counsel appearing on behalf of the State submits that charge-sheet has already been submitted before the jurisdictional court. As such, as stated above, the grievance expressed by the petitioner and/or any other issues which are to be canvassed in respect of the investigation, the same may be made by invoking the provisions of Section 173(8) of the Cr.P.C. Learned Magistrate would consider the same in accordance with law.

With the aforesaid observations, WPA 8117 of 2025 is disposed of.

There will be no order as to costs.

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

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

(Tirthankar Ghosh, J.)