

D/L - 126
23/04/2025
Court No.28
S.Kundu

CRR 1632 of 2025

Sudipta Das
Vs.
State of West Bengal & Anr.

Mr. Pritam Majumdar
Mr. Mainak Singhbarman

...for the petitioner.

Mr. Suman De

...for the State.

1. Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner is a political worker for an opposition party in the State. That is why he has been implicated in false cases and now in a proceeding under Section 126 of the BNSS Act. The last time a criminal case was filed was in the year 2021. However, in respect of a murder case, he has been released on bail in 2024. There was no satisfaction recorded by the Magistrate to further proceed with the matter.
2. Learned counsel appearing on behalf of the State relies on the report filed and submits as follows. Since 2015, there were about eight cases registered against the present petitioner at the Bizpur Police Station. These include charges under Section 326, under the Explosive Substances Act and even a murder case. After the petitioner was released from bail by this Court

he has been trying to organize a gang for commission of further offences in the area.

3. It appears from the order passed by the learned Executive Magistrate that an opportunity has been provided to the petitioner to show-cause.
4. Therefore, the revisional application is disposed of by granting liberty to the petitioner to give a reply to the show-cause issued by the learned Executive Magistrate, which shall be dealt with in accordance with law by the said Magistrate.
5. The learned Executive Magistrate shall also consider the fact whether the petitioner alone can be proceeded against with an allegation that he was trying to organize a gang to commit offences.
6. The Executive Magistrate shall not insist upon furnishing of the bond on the very first day of appearance of the petitioner and shall fix another date for considering the same.
7. With the above observations and directions, the revisional application is disposed of.
8. Urgent Photostat certified copy of this order, if applied for, be given to the parties upon compliance with requisite formalities.

(Jay Sengupta, J.)