

D/L 75
06.05.2025
Bpg.
ct.no.35

W.P.A.9270 of 2025

**Fazlur Rahaman
Versus
The State of West Bengal & Ors.**

Mr. Badrul Karim
Mr. Aritra Ghosh.
...for the petitioner.
Mr. Swapan Banerjee
Mr. Diptendu Narayan Banerjee.
...for the State-respondents.

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

Petitioner alleges that since one of the accused happens to be a police personnel, proper investigation was not carried out in connection with Bolpur P.S. Case No.75 of 2025 dated 13.02.2025 and, as such, petitioner prayed for investigation by an independent agency.

However, State has submitted a report. Report reflects that charge-sheet has been submitted before the jurisdictional court under the relevant provisions of BNS, 2023 against three accused persons, out of which two of the accused persons are absconding.

In view of the investigation having been concluded, I direct the petitioner to apply for supply of the documents which the prosecution proposes to rely upon in this case. If such an application is made

before the jurisdictional court, the same may be supplied within a period of 15 days. Petitioner would be at liberty to take out an application for further investigation in case petitioner is aggrieved regarding the materials collected by the investigating agency and/or any other accused being discharged from the case. Learned Magistrate would dispose of the said application in accordance with law, preferably within a period of 60 days from the date of filing of such application. Petitioner will thereafter exhaust other remedies available to him under the law.

With the aforesaid observations, WPA 9270 of 2025 is disposed of.

There will be no order as to costs.

Report submitted by the State 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.

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

(Tirthankar Ghosh, J.)