

17.03.2025
Serial no.87-92

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CRM (DB) 2556 of 2022
With
CRM (DB) 1951 of 2023
With
CRM (DB) 1952 of 2023
With
CRM (DB) 1954 of 2023
With
CRM (DB) 1955 of 2023
With
CRM(DB) 469 of 2022
With
CRAN 1 of 2024

In re: Applications for cancellation of bail under Section 439
(2) of the Code of Criminal Procedure.
-And-

In the matter of: **Estayaque Ahmed @ Istiyaqu Ahmed**
@ Gaffar Istak

... ... Petitioner

Mr. Sambhu Nath De
... ... For the Petitioners
in CRM (DB) 2556 of 2022, CRM (DB) 1951 of 2023, CRM (DB) 1952 of
2023, CRM (DB) 1954 of 2023 CRM (DB) 1955 of 2023

Mr. Moyukh Mukherjee,
Mr. Abhijit Singh, Advocates
.. ..For the petitioner in CRAN 1 of 2024 in
CRM(DB) 469/2022
& OP NO. 2 in CRM (DB) 2556 of 2022

Mr. Samrat Mondal,
Mr. Abhijit Singh, Advocates
..For the O.P. in CRM (DB) 2556 of 2022

Mr. Arindam Jana,
Mr. Subhajit Chowdhury, Advocates
..For the O.P. in CRM (DB) 1951 of 2023
CRM (DB) 1954 of 2023
CRM (DB) 1955 of 2023

Mr. Partha Sarathi Das
Mr. Kaushik Biswas
Ms. Souraja De, Advocates
...For the O.P. in C.R.M. (DB) 1952 of 2023

Mr. Rudradipta Nandy, APP
Mr. Arindam Sen, Advocates
...For the State in C.R.M. (DB) 2556 of 2022

Mr. Rudradipta Nandy, APP
 Mr. P.P. Das,
 Ms. Ishita Dutta, Advocates
 ...For the State in C.R.M. (DB) 1951 of 2023

Ms. Faria Hossain
 Ms. Mamata Jana, Advocates
 ...For the State in C.R.M. (DB) 1952 of 2023

Mr. Rudradipta Nandy, APP
 Mr. Ranadeb Sengupta
 Mr. Sachit Talukdar, Advocates
 ...For the State in C.R.M. (DB) 1954 of 2023

Mr. Partha Pratim Das,
 Ms. Manasi Roy, Advocates
 ...For the State in C.R.M. (DB) 1955 of 2023

Ms. Suruchi Saha, Advocate
for the State in CRM(DB) 469 of 2022

1. Six applications are taken up for analogous hearing as they emanate out of the same police case. Five out of six cases taken up for analogous hearing are for cancellation of bail granted to the private opposite parties while CRAN 1 of 2024 in CRM (DB) 469 of 2022 is for the purpose of relaxation of the condition granting bail.
2. Initially the High Court granted bail to one accused. Subsequently trial Court noting the grant of such bail, proceeded to grant bail to the other accuseds.
3. Report submitted by the State be taken on record.
4. Report shows that, as against the two accuseds, there are in aggregate three police cases - two for one and one for the other, complainants of post bail misconduct.
5. Two police cases of post bail misconduct where the accused was enlarged on bail by the High Court, do not involve any heinous crime. One is under Section 399/402 of the Indian Penal Code while the other is assault and outraging the modesty. The accuseds in such criminal cases were enlarged on bail.

6. Such accused is presently residing outside the State of West Bengal and is participating at the trial. Such accused also applied for relaxation of the condition of the grant of bail in CRM(DB) 469 of 2022.
7. We are not minded to cancel the bail granted in favour of such accused namely, Pravin Kumar Singh @ Sonu Singh. At the same time we are not minded to relax any of the conditions granting to such accused.
8. Consequently, CRM (DB) 2556 of 2022 and CRAN 1 of 2024 in CRM (DB) 469 of 2022 are **dismissed**.
9. So far as the other accuseds are concerned, we find that again excepting one accused, there is no post bail misconduct as against the others. So far as the one accused is concerned, it is a complaint of threatening the prosecution witnesses.
10. Trial is in progress. Threat held out to the prosecution witness is yet to be established.
11. In such circumstances, we are not minded to cancel bail granted in favour of such accused. However, we modify the condition granting bail to them by requiring such accused not to enter the jurisdiction of North 24 Parganas save and except for the purpose of attending the trial. Such accused will forthwith submit their new address to the officer-in-charge of the jurisdictional police station within 15 days from date. In default, jurisdictional Court may take such measures including cancellation of bail, without further reference to this Court.
12. CRM (DB) 1951 of 2023, CRM (DB) 1952 of 2023, CRM (DB) 1954 of 2023 and CRM (DB) 1955 of 2023 are **disposed of** accordingly.

(Debangsu Basak, J.)

(Smita Das De, J.)