

28.02.2025
Item No.154
Court No.26
CHC

CRM (DB) 1588 of 2024

In re : An application for cancellation of bail under Section 439(2) of the Code of Criminal Procedure, 1973 in connection with **Maheshtala** Police Station Case No. **129** of **2024** dated **18.03.2024** under Sections **448/325/307/506/34** of the Indian Penal Code, 1860.

-And-

In the matter of : Malay Pal

... ... Petitioner

Mr. Sayak Chakrabarti, Advocate

Mr. Wrickbrata Roy, Advocate

Mr. S. Chatterjee, Advocate

Mr. Iswar Das, Advocate

... ... For the Petitioner

Mr. Prabir Majumdar, Advocate

Mr. Souvik Sen, Advocate

...for the opposite party no.2 & 3

1. Cancellation of bail is sought for on behalf of the petitioner.
2. It is submitted on behalf of the learned advocate for the petitioner that, the impugned order granting bail was passed by the learned jurisdictional Court without considering the materials on record as also the gravity of offence was not taken into consideration. Learned advocate for the petitioner refers to the impugned order dated March 22, 2024.
3. Private respondents are represented.
4. We perused the impugned order. The impugned order states that, the nature of allegation raised in the written complaint was omnibus in nature and no specific allegation so far as Section 307 of the Indian Penal Code, 1860 was concerned was made against the private opposite parties.

5. In consideration of such finding in the impugned order granting bail, we are not in a position to return a finding that, the impugned order was passed without considering the materials on record. We find no infirmity in such order.
6. In such circumstances, we are not inclined to cancel the bail granted to the private respondents in the order dated March 22, 2024.
7. CRM(DB) 1588 of 2024 is **dismissed**.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)