

15.07.2025
Item No.60
Ct. No.35
dc.

W.P.A. 13706 of 2025

Arjun Bera
versus
The State of West Bengal & Ors.

Ms. Reshmi Khatun,
Mr. Minhaz Serweny Islam ... For the Petitioner.

Mr. Vivekananda Bose, Jr. Standing Counsel,
Mr. Kaustav Bhattacharya ... For the State.

Affidavit-of-service filed in Court today be kept with the record.

Report submitted by the learned advocate appearing for the State be also kept with the record. A copy of the report be handed over to the learned advocate appearing for the petitioner.

The petitioner is aggrieved by the manner in which the investigation has been dealt with by the investigating authorities in connection with Kakdwip P.S. Case No. 398 of 2021 and Kakdwip P.S. Case No. 43 of 2022. The grievance of the petitioner is that the principal accused has been left out in the charge-sheet and the police authorities have implicated some other persons thereby creating an escape route in the final outcome of the cases.

State has submitted a report which reflects that on conclusion of investigation, charge-sheet has already been submitted in connection with the aforesaid cases.

Having considered the statutory remedy available under the law, I grant liberty to the petitioner to approach the jurisdictional court either under Section 173(8) of the Code of Criminal Procedure or under Section 193(9) of BNSS. The learned jurisdictional court would assess regarding the accusations, veracity of the same and whether the investigating authorities have properly investigated the case and submitted charge-sheet and thereafter pass orders as it deems fit and proper.

With the aforesaid observations, the writ petition being WPA 13706 of 2025 is disposed of.

There will be no order as to costs.

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

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

(Tirthankar Ghosh, J.)