

25.07.2025
Court No. 35
D/L. No.69
Rakib

W.P.A. 14672 of 2025

Bibhas Chandra Majhi.
VS
The State of West Bengal & Ors.

Mr. Abdul Hamid Molla
Mr. Md. Abdul Halim
Ms. Nupur Choudhuri
Mr. Sahil Ahmed
...for the Petitioner.

Ms. Amrita Panja Moulick
...for the State.

Petitioner complains of police excess and to that effect has informed the Superior Officer of the police including the Superintendent of Police, Diamond Harbour Police District, Inspector-in-Charge, Nodakhali PS and Inspector-in-Charge, Bishnupur PS.

As none appears on behalf of the State Ms. Amrita Panja Moulick, learned advocate who ordinarily appears for the State is directed to represent the State. Her appearance may be regularized by the concerned authorities.

Report has been submitted by the Bishnupur Police Station in WPA 14479 of 2025 which reflect that the petitioner as well as the private respondents both were arrested for committing public nuisance and prosecuted under Section 292 of the BNSS, they were produced before the jurisdictional Magistrate and they obtained bail. It has been a categorical statement in the report prepared by the Inspector-in-Charge, Bishnupur Police Station that they did not furnish bail bonds on the

date on which they were arrested, as such they had to be produced before the learned A.C.J.M.

Since no document has been enclosed in respect of any defence being taken or accusations being made before the A.C.J.M. when the accused persons were produced before the Court, I am of the view that if the petitioner is aggrieved by the act and action of the police authorities, proper steps be taken before the learned A.C.J.M. in seisin of the case relates to Bakhrahat Outpost G.D. Entry 996 dated 03.05.2025 under Section 39 of the BNSS/292 of BNS. The jurisdictional Court would assess regarding the accusations and thereafter pass necessary directions as he deems fit and proper.

With the aforesaid observations WPA 14672 of 2025 is disposed of.

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.)