

CRM (SB) 87 of 2024

In Re: An application for cancellation of bail under Section 439(2) of the Code of Criminal Procedure, 1973.

Dibakar Guharoy @ Dibakar Guha Roy
Vs.
The State of West Bengal & ors.

Adv. Indranuj Dutta,

... for the Petitioner.

Adv. Sabyascahi Mukherjee,
Adv. Ankita Nandi,
Adv. Shah Md. Umer Edne Sadhique,

...for the op. nos. 2 to 6.

Adv. Soumik Ganguly,
Adv. Abhinaba Mukherjee,

...for the State.

Report submitted by the State is taken on record.

Heard learned counsels for the parties.

The petitioner who is the defacto complainant in GR case no. 838 of 2024 pending before the learned Additional Chief Judicial Magistrate, Sealdah, South 24 Parganas seeks cancellation of bail granted in favour of the private opposite parties vide order dated 21st May, 2024.

Learned counsel for the petitioner takes this Court to a complaint lodged by the wife of the petitioner alleging that the private opposite parties attacked and intimidated her husband and herself after being released on bail.

Per contra, learned counsel for the opposite parties submits that the private opposite parties have been complying with the conditions of bail imposed upon them and have not engaged in any illegal act whatsoever.

It appears from the report submitted by the State that the petitioner/defacto complainant, in his letter sent to the police on 1st

February, 2025, did not make any allegation against the private opposite parties/accused. No complaint appears to have been lodged by him before the police alleging any illegal act by the private opposite parties post bail.

In view of the above, this Court is inclined to hold that no ground for cancellation of bail granted to the opposite parties has been made out by the petitioner and the application, being devoid of any merit, is liable to be dismissed.

CRM (SB) 87 of 2024 is dismissed.

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

(Suvra Ghosh, J.)