

21.03.2025

Serial no.24

Dd

CRM (DB) 2691 of 2024

With

CRAN 1 of 2025

In re : An Application for cancellation of Bail under Section 439(2) of the Code of Criminal Procedure, 1973. (corresponding to Section 483(3) of BNSS, 2023).

-And-

In the matter of : Sandip Patra

... ..Petitioner

Mr. Jagannath Ganguly, Advocate
... .. For the Petitioner

Mr. Md. Adil Badr,
Mr. Subhajit Chowdhury, Advocates
... ..For the State

1. CRAN 1 of 2025 is an application for restoration.
2. Affidavit-of-service filed in Court be taken on record.
3. For the ends of justice, averments made in the application for restoration are accepted as sufficient. Order dated March 5, 2025 dismissing the application is recalled. CRM(DB) 2691 of 2024 is restored to its file and number.
4. CRAN 1 of 2025 is allowed.
5. Petitioner prays for cancellation of the bail granted by the order dated July 12, 2024 passed by the Additional Chief Judicial Magistrate, Calcutta.
6. Learned advocate appearing for the petitioner submits that the prayer for anticipatory bail was rejected on May 12, 2024. Suppressing such order of rejection, the private opposite party obtained the bail from the learned Additional Chief Judicial Magistrate, Calcutta.
7. State is represented.
8. Police filed charge sheet.

9. Prayer for anticipatory bail was initially rejected on May 24, 2024. Filing of the charge sheet was subsequent thereto.
10. Police case involves an incident of assault. Apparently, one person suffered grievous hurt.
11. Learned Judge granting the order of bail took into consideration the factum of filing of the charge sheet and requirement of placing the private opposite party in further detention or not. Learned Judge found that further detention of the private opposite party was not required.
12. Order dated July 12, 2024 is informed with reasons.
13. We find no ground to cancel the bail subsisting in favour of the private opposite party.
14. CRM (DB) 2691 of 2024 is accordingly **dismissed**.

(Debangsu Basak, J.)

(Smita Das De, J.)