

17.03.2025
DL-113
Court No.26

CRM (DB) 3408 of 2024

(Dismissed)
(AD)

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 the Bharatiya Nagarik Suraksha Sanhita, 2023.

-And-

In the matter of : XXXX

... ...Petitioner

Mr. Niladri Sekhar Ghosh, Advocate
Mr. Shaharayar Alam, Advocate
... for the petitioner

Mr. Saibal Bapuli, Ld. APP
Mr. Arani Bhattacharyya, Advocate
...for the State

Mr. M. Nazar Chowdhury, Advocate
Ms. Priyanka Saha
... for the opposite party no.2

1. Private opposite party was granted bail by the Learned Additional Sessions Judge on August 22, 2024.
2. Perversity of the order and post-bail misconduct are the grounds put forward for cancellation of bail.
3. So far as perversity of the order is concerned, we find that, learned Additional Sessions Judge took into consideration the period of detention and the development in the investigation. Learned Additional Sessions Judge found no justification to detain the private opposite party for the completion of the investigation and proceeded to grant bail.
4. Post-bail misconduct is not established on the basis of the report filed on behalf of the State which be taken on record.

5. In such circumstances, we find no merit in the present application.
6. **CRM (DB) 3408 of 2024** is **dismissed**.

(Debangsu Basak, J.)

(Smita Das De, J.)