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12.02.2025
Ct.No.34
b.das

C.R.M. (SB) 128 of 2024

In Re : An application for bail under Section 483 (2) of the
BNSS, 2023.

And

In Re : **Vivek Vikram Singh**

... Petitioner.

Mr. S. Das Mahapatra
Mr. Abhishek Mukherjee
Ms. Madhurai Sinha
Mr. R. Halder

... for the petitioner.

Mr. Pinak Kr. Mitra
Mr. Vivek Sharma
Ms. S. Ghosh

..for the opposite party.

Mr. Sandip Chakarborty
Mr. Saptarshi Chakraborty

... for the State.

Affidavit of service filed by the petitioner is taken on
record.

The petitioner seeks cancellation of bail granted in
favour of the private opposite party on 30th August, 2024 in
GR Case No.1091 of 2023 on the ground that prayer for
anticipatory bail of the petitioner under Section 438 of the
Code of Criminal Procedure was turned down by an Hon'ble
Division Bench of this Court. Also, in a writ petition filed by
the petitioner alleging police inaction, a coordinate Bench of
this Court has directed the investigation to be carried out
under direct supervision of the Deputy Commissioner of

Police and be concluded expeditiously in accordance with law.

Heard learned counsels for the parties.

It appears from the order impugned dated 30th August, 2024 that the learned trial Court has taken into consideration the orders of this Court while dealing with the application for bail. The order demonstrates that the bail application was filed after submission of charge sheet and the offences were triable by the learned Magistrate.

It appears from the order of the Hon'ble Division Bench dated 24th January, 2024 in CRM (A) 5128 of 2023 rejecting the prayer for anticipatory bail of the opposite party that such prayer was rejected on the ground that the police complaint made out a case for investigation and enlarging the petitioner (opposite party herein) on anticipatory bail at that stage would be inimical to such investigation.

Investigation has culminated in submission of charge sheet and the offences are triable by the learned Magistrate. The petitioner is not aggrieved by any post-bail conduct of the private opposite party and does not allege misuse of the liberty by him.

In view of the above, this Court is inclined to hold that the order impugned dated 30th August, 2024 does not call for any interference by this Court since it was based upon due consideration of the material on record as well as the orders of this Court.

Accordingly CRM (SB) 128 of 2024 is dismissed.

Urgent certified website copy of the order, if applied for, be given to the parties on compliance of requisite formalities.

(Suvra Ghosh, J.)