

CRM (DB) 3255 of 2024

In re : An application for bail under Section 439 of the Code of Criminal Procedure/Section 483 of the Bharatiya Nagarik Suraksha Sanhita in connection with Nandigram Police Station Case No.436 of 2024 dated 23-05-2024 under Sections 341/325/326/307/302/506/34 of the Indian Penal Code and Sections 25/27 of the Arms Act read with Section 3 of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

- And -

In the matter of : Babu Ojha @ Tarun Ojha

.... Petitioner.

Mr. Swapan Kumar Mullick

... For the Petitioner.

Mr. Debasish Roy, learned Public Prosecutor,
Mr. Partha Pratim Das,
Mr. Asif Dewan

... For the State.

Mr. Moyukh Mukherjee,
Mr. Soumya Raha

... For the defacto complainant.

Dictated by Arijit Banerjee, J.

1. Learned advocate for the State and learned advocate for the defacto complainant say that this application for bail is not maintainable. An appeal has to be filed under the provisions of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act. Learned advocate for the petitioner says that he is not pressing the application.

2. The application for bail is, thus, **dismissed** for **non-prosecution**.

3. Dismissal of this application will not prevent the petitioner from taking appropriate steps in accordance with law.

4. Let the certified copy of the impugned order be returned to learned advocate-on-record for the petitioner upon furnishing a photocopy of the same.

5. All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

6. Criminal Section is directed to supply certified copies of this order to the parties, if applied for, upon compliance of all necessary formalities.

(Arijit Banerjee, J.)

(Apurba Sinha Ray, J.)