

12.03.2025

Serial no.91

Dd

CRM (DB) 3533 of 2024

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 : Noor Md. @ Noor Mahammad Sk.
... ..**Petitioner**

Mr. Arunabah Jana,
Mr. Kazi M. Rahman, Advocates
... .. For the Petitioner

Mr. Rana Mukherjee, APP
Mr. Sujan Chatterjee, Advocates
... ..For the State

Ms. Sudeshna Das, Advocate
... ..For the private Opposite Party No. 2

1. Petitioner seeks cancellation of the order granting bail to the private opposite party on July 10, 2024 passed by the learned Sessions Judge, Malda.
2. State and the private opposite party are represented.
3. Learned advocate appearing for the State submits that the private opposite party is not attending the jurisdictional Court subsequent to the order granting bail.
4. Learned advocate appearing for the private opposite party submits that her client will attend the jurisdictional Court on every date fixed.
5. We are not inclined to cancel the bail existing in favour of the private opposite party subject to the private opposite party attending the jurisdictional Court on each and every date fixed by it.
6. We clarify that in the event of default of attendance on any of the dates before the jurisdictional Court, the

jurisdictional Court without further reference to the High Court may proceed to cancel the bail.

7. CRM (DB) 3533 of 2024 is **disposed of** accordingly.

(Debangsu Basak, J.)

(Smita Das De, J.)