

196.
Court
No.26
(DM)

06.03.2025
(Pritam)

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION

CRM (DB) 3956 of 2024

In Re: - An application for *cancellation* of bail under Section 439(2) of the Code of Criminal Procedure, 1973, arising out of **Goghat** Police Station Case No.**256/2022** dated **14.09.2022** under Sections **374(3)/354A/506/509** of the IPC, 1860.

And

In the matter of: - **XXXX**.

.....petitioner.

Mr. Debashis Banerjee,
Mr. Rakesh Jana

...for the petitioner.

Ms. Amita Gaur,
Mr. Arani Bhattacharyya

...for the State.

Mr. Niladri Sekhar Ghosh,
Ms. Sompurna Chatterjee,
Mr. Sourav Mondal,
Ms. Laboni Sikder,
Mr. Rony Mondal,
Mr. Soumik Dey

....for the OP no.2.

1. Application is for cancellation of bail granted by the co-ordinate bench on January 16 of 2024 passed in CRM (DB) 124 of 2024.
2. Post-bail misconduct is the ground for cancellation.
3. Learned counsel for the petitioner draws the attention of the court to a letter dated September 16, 2024 by which, the petitioner allege post-bail misconduct of the private opposite party entering into the jurisdiction of the local police station on repeated occasions.

4. Learned advocate for the opposite party submits that on an application for relaxation of the condition of bail. Another co-ordinate bench considered the alleged post-bail misconduct and passed an order dated November 20, 2024 passed in CRAN 1 of 2024 in CRM (DB) 124 of 2024, relaxing the conditions of the grant of bail.
5. State is represented.
6. Issue is as to whether the private opposite party was guilty of post-bail misconduct was considered by the co-ordinate, at least deemed to be so when the co-ordinate bench passed the order dated November 20, 2024.
7. There is no subsequent incident of alleged post-bail misconduct brought to our notice.
8. In such circumstances, we find no merit in the present application.
9. CRM (DB) 3956 of 2024 is dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)