

M/L 13
15.01.2025
Kausik
ct.no.35

W.P.A. 30094 of 2024

**Bibhabari Shit Bhunia
Versus
The State of West Bengal & Ors.**

Mr. Sabyasachi Chatterjee
Mr. Badrul Karim

...for the petitioner.

Mr. Dipanjan Datta
Mr. Subhajit Chowdhury

...for the state.

State has submitted a report wherefrom it reflects that a subsequent case has been registered by the police authorities in respect of the threats of the accused persons complained of by the present petitioner.

Learned advocate for the State submits that one of the accused persons was arrested and he was granted bail in connection with Egra P.S. Case No. 675/2024. Two of the accused persons are still absconding.

In view of the rest of the accused persons being on bail as is reflected in the report and the accused persons have threatened pursuant to which Egra P.S. case no. 825/2024 has been registered, I direct that the jurisdictional Court would also take into account the provisions of the Witness Protection

Scheme, 2018, direct the police authorities to submit a Threat Perception Report and on analysis of the same, render proper assistance to the defacto-complainant and her child who is a vital witness of the case.

In view of the charge-sheet submitted in connection with Egra P.S. Case no. 675/2024, dropping charges under Section 103(1) of the BNS, 2023 and other relevant sections, notice is to be issued to the defacto-complainant. Accordingly, if such notice is received by the complainant and the complainant prefers an application under Section 193(9) of the BNSS, 2023, the learned Magistrate will consider the same in accordance with law and dispose of the same within a period of 45 days from filing of the said application.

Within the aforesaid period, if the defacto-complainant prays for supply of relied upon documents by the prosecution, copies of the same be also handed over to the defacto-complainant prior to filing of an application under Section 193(9) of the BNSS, 2023.

With the aforesaid observations WPA 30094 of 2024 is disposed of.

Report so submitted be kept with the record. A copy of the report be submitted to Mr. Chatterjee,

learned advocate appearing on behalf of the petitioner.

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

(Tirthankar Ghosh, J.)