

29.04.2025
(D/L 15)
Ct. No.1
Disposed of
(SKB)

**CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI**

**CRM (DB) 172 of 2025
With
CRAN 1 of 2025**

In Re:- An application for relaxation of condition of anticipatory bail under Section 439(1)(b) of the Cr.P.C./483(1)(b) of the Bhartiya Nagarik Suraksha Sanhita, 2023.

In the matter of : Naveen Kumar Agarwal and another
... petitioners

Mr. Sourav Ganguly,
Ms. Rishita Chakraborty
... for the petitioners.

Mr. Ayan Bhattacharjee, Sr. Adv.
Mr. Abhijit Sarkar,
Mr. Subrata Karmakar,
Mr. Nabankur Paul,
Ms. Sutapa Sen Paul,
Mr. Ankur Agarwal,
Mr. Nikhil Mondal,
Mr. Bodhisatya Ghosh
... for the Intervenor/applicant.

Mr. Abhijit Sarkar,
Mr. Tapan Bhattacharjee
... for the State.

Mr. Bikramaditya Ghosh
... for the defacto complainant.

1. The issue of maintainability of the present application has been raised by the applicant by submitting that the provisions of Section 439(1)(b) of the Cr.P.C. will

not apply in the present case where the conditions have been imposed by the learned Sessions Judge, and not by the learned Magistrate.

2. In view of the objection, the learned counsel for the petitioners seeks permission to withdraw the application, and liberty to file afresh under the appropriate jurisdiction.
3. The CRM(DB) 172 of 2025 is, accordingly disposed of with liberty to avail remedy in accordance with law.
4. The application being CRAN 1 of 2025 is also disposed of.

(Madhuresh Prasad, J.)