

01.04.2026
Ct 5/SI. 29
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W.P.A. 7232 of 2026
(Bhaskar Mondal vs. State of West Bengal & Ors.)

Mr. Ashis Kr. Chowdhury
Mr. B B Bera
Mr. Rohan Paul
Mr. Siddhartha Roy
... .. for the petitioner

Mr. Santanu Kumar Mitra
Mr. Samrat Paul
... .. for the State

1. Affidavit of service filed on behalf of the petitioner is taken on record.
2. It is alleged on behalf of the petitioner that illegally police seized his motorcycle by entering into his premises on 10th January 2026. It is submitted that such overt action of the police authority needs to be curbed on issuance of mandamus in consideration of the case made out in this writ petition.
3. Mr. Mitra, learned advocate representing the state respondents has filed a communication dated 29th March 2026 of Officer-in-Charge Nowda P.S, Murshidabad and is taken on record. Copy of the said communication dated 29th March 2026 is made over to the learned advocate representing the petitioner.
4. It is disclosed in the said communication that there are two counter cases; one is registered as Nowda P.S case no. 471 of 2025 dated 22.10.2025 and another is registered as Nowda P.S case no. 474 of

2025 dated 23.10.2025. In connection with Nowda P.S case no. 474 of 2025 dated 23.10.2025, associates of respondent no. 5 alleged threat and assault at the instance of the present petitioner.

5. Petitioner moved a pre-arrest bail application before the learned District and Sessions Judge, Berhampore, Murshidabad but the same was rejected. During investigation, petitioner was absconding and ultimately investigating officer submitted charge sheet being no. 550 of 2025 dated 26.12.2025 under certain provisions of BNS along with prayer for issuance of warrant of arrest against the accused persons. On issuance of warrant of arrest, other accused persons were arrested but the petitioner could not be arrested. Thereafter, the petitioner surrendered and was granted bail. Pertaining to allegation of illegal seizure of motorcycle it is disclosed in the communication dated 29th March 2026 that motorcycle bearing registration no. WB-58AF-5325 was seized and kept as unclaimed property. Till date no claimant has come forward to claim the said motorcycle in accordance with law.
6. In view of the contents of the communication dated 29th March 2026 it appears that the police authorities took steps in connection with Nowda P.S case no. 474 of 2025 dated 23.10.2025 and charge sheet was submitted against the petitioner. Due to

submission of charge sheet, petitioner needs to face trial. No relief can be granted in this writ petition.

7. The writ petition stands dismissed.
8. However, there shall be no order as to costs.
9. Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(Saugata Bhattacharyya, J.)