

M/L61
06.04.2026
Bpg.
Disposed
of

C.R.M.5642 of 2021

In Re: An application for cancellation of bail under Section 439(2) of the Code of Criminal Procedure, 1973 filed in connection with Patuli Police Station Case No.78 dated 05.05.2021 under Sections 420/467/468/471/120B of the Indian Penal Code;

Shiv Kumar Shaw
Versus
The State of West Bengal & Ors.

Mr. Debapratim Guha
Mr. Niladri Khanra.
...for the petitioner.

Ms. Sayanti Santra.
...for the State.

Mr. Navanil De
Ms. Monami Mukherjee.
...for the de facto complainant.

Learned advocate for the petitioner submits that the subject matter of challenge relates to the order dated 08.07.2021 passed by the learned ACJM, Alipore, South 24 Parganas in connection with Patuli Police Station Case No.78 of 2021.

State has submitted a report which reflects that subsequently charge-sheet was submitted and case has been transferred to the learned Judicial Magistrate, 4th Court. Both the petitioner as well as the accused are pursuing before the learned trial court. It seems that the de facto complainant is being examined on dock.

Having regard to the fact that the accused is enjoying the

bail for more than 4 years 9 months and there are no overt acts which have been subsequently expressed in the report of the police authorities, I am of the view that at this belated stage, it would not be fit and proper to interfere with the order of bail. If there are change of circumstances, petitioner would be at liberty to make the same before the learned trial court.

With the aforesaid observations, CRM 5642 of 2021 is disposed of.

Report submitted by the State be kept with the record.

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

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

(Tirthankar Ghosh, J.)