

M/L 629
28.01.2026
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C.R.M. (SB) 78 of 2024

In Re: An application for cancellation of bail under Section 439(2) of the Code of Criminal Procedure, 1973;

Sharadindu Patra
Versus
Dilip Das alias Santu & Anr.

Mr. Pawan Kumar Gupta
Ms. Sofia Nesar
Mr. Santanu Seth.
...for the petitioner.

Mr. Arijit Ganguli
Mr. Santanu Deb Roy.
...for the State.

Mr. Soumya Basu Roy Chowdhury.
...for the opposite party no.1.

Affidavit-in-reply filed by the petitioner be kept with the record.

Report submitted by the State be kept with the record.

Learned advocate for the petitioner is aggrieved by the fact that there has been violation of the order passed by the High Court on 27.06.2023 in CRM (SB) 119 of 2023. Learned advocate draws the attention to the contents of Howrah Police Station Case No.370 of 2023 dated 03.11.2023.

Both the parties have exchanged their affidavits and it reflects that the parties are at loggerhead.

The issue which compelled the petitioner praying for cancellation of bail relates to conduct of the accused on 3rd November, 2023. More than 25 months since then has passed.

The present report which has been submitted on behalf of the State reflects that the opposite party no.1 has been complying with the condition. If there are continuous circumstances which are prejudicial to the present petitioner, liberty is granted to approach the jurisdictional court which is in seisin of both the criminal cases. Learned Magistrate would in such circumstances exercise his discretion for monitoring the conduct of the accused so that the petitioner's peace, tranquility and security in no manner is disturbed.

With the aforesaid observations, CRM(SB) 78 of 2024 is disposed of.

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.)