

M/L33
06.03.2026
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C.R.M. (DB) 2202 of 2024

In Re: An application for cancellation of bail under Section 439 (2) of the Code of Criminal Procedure, 1973/read with U/s.483 Bharatiya Nagarik Suraksha Sanhita, 2023;

Shilpi Majumdar
Versus
The State of West Bengal & Ors.

Mr. Bidyut Kumar Ray
Mr. Mir Anuruzzaman.
...for the State.

Records of the case reflect that the subject matter of challenge relates to an order of bail granted on 19th February, 2024. Records also reflect that charge-sheet was submitted in connection with Nadanghat Police Station Case No.60 of 2024 on or about 16.03.2024. Prima facie from the complaint it appears that the accused/opposite party nos.2 to 5 being influential in the locality abused their power being associated with the local representative. The police authorities on investigation have also arrived at a conclusion which substantiates the allegations made by the informant/complainant, as such, the charge-sheet was submitted under Sections 341/323/384/504/506/34 of the Indian Penal Code. Records of the case reflect that the learned court while granting bail only took into account the issuance of notice under Section 41A of the Cr.P.C. and granted interim bail. Subsequently, a date was fixed on 04.03.2024 for production of the case diary but on the date of confirmation of bail also case diary was not produced.

As such, interim bail was extended.

Having considered that the initial order of bail was granted more than two years ago, at this stage, it would be very difficult for this Court to interfere with the legality of the order of bail since further materials have not been placed before this Court. However, the information which was furnished to the police authorities do reflect an aggression and dominance being created out of muscle power by the accused persons.

Having considered that the bail was granted without consideration of the case diary and subsequently charge-sheet has been submitted, I direct that in case there has been further threats upon the witnesses of the case including the informant concerned, learned trial court would impose stringent conditions upon the accused/opposite parties till the end of the trial. If the circumstances are such that the accused persons apart from threatening and/or tampering with the evidence of the case also indulges in stretching the time by creating impediments in its progress, in that case, learned trial court would not deter from cancelling the bail of the accused/opposite parties without further reference to this Court.

With the aforesaid observations, CRM(DB) 2202 of 2024 is disposed of.

Learned advocate for the State is directed to communicate this order to the learned public prosecutor appearing in the trial court so that the same may be brought to the notice of the learned court in seisin of the trial of the case.

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.)