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06.04.2026
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C.R.M. (DB) 2341 of 2024

In Re: An application for cancellation of bail under Section 439 (2) of the Code of Criminal Procedure, 1973/Section 483(3) of Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Uttarpara Police Station Case No.227 of 2023 dated June 23, 2023 under Sections 498A/341/323/354B/307/506/509/34 of the Indian Penal Code read with Section 31 of the POCSO Act;

Arpita Rajbanshi
Versus
The State of West Bengal & Ors.

Mr. Navanil De
Ms. Monami Mukherjee.
...for the petitioner.

Mr. Prasun Kumar Dutta
Mr. Anindya Sundar Chatterjee.
...for the State.

Mr. Kaustav Bagchi
Mr. Debayan Ghosh
Mr. Rirtharaj Ghoshal.
...for the opposite party nos.2 to 6.

Learned advocate appearing for the petitioner has prayed for cancellation of the bail to the accused/opposite parties. To that effect, attention of the Court was drawn to the order dated 04.04.2024 wherein the prayer for cancellation before the learned Additional District and Sessions Judge, 1st Court, Serampore, Hooghly was rejected.

I have taken into account the factum that the accused/opposite parties were granted bail on 08.08.2023. More than three years have passed since the order of bail was granted. So far as the report which has been submitted on behalf of the State, it

reflects that several cases are pending over different issues between the present petitioner/complainant and her in-laws.

Having considered that the police authorities have not been able to lay hands on overt acts of the accused/opposite parties and the bail was granted more than three years ago, at this stage, I am not inclined to interfere with the order of bail. However, the petitioner would be at liberty to take out an appropriate application if there are change of circumstances which would include creating impediment in the progress of the trial of the case as well as tampering with the evidence of the case is concerned. Under those circumstances, the jurisdictional court would pass appropriate order as it deems fit and proper.

With the aforesaid observations, CRM(DB)2341 of 2024 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.)