

19.01.2026
Sl. No.364
NB

CRM (DB) 3450 of 2024

In Re:- An application for cancellation of bail under Section 483(3) read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023..

And

In the matter of: Gouri Roy ... petitioner

Mr. Aniket Mitra,
Ms. Nandini Chatterjee.
...for the petitioner.

Mr. Rudradipta Nandy,
Ms. Amita Gaur.
...for the State.

Mr. Imtiaz Akhtar
...for the OP No.2.

Heard the learned counsels for the petitioner, the accused and the State.

Perused the application and the affidavits.

It appears that the petitioner was granted anticipatory bail on 21.08.2024 by a Division Bench of this Court in *CRM(A) 2481 of 2024*. One of the conditions that was imposed for grant of bail was that the petitioner shall not leave the jurisdiction of North 24-Parganas except for the purpose of meeting the Investigating Officer and attending the Court till the submission of final report.

It is submitted on behalf of the petitioner and the State that the petitioner deliberately flouted the order and went away to Agartala on 11.09.2024 and returned back on 13.09.2024. The fact of going to Agartala at that time and coming back has been admitted by the accused/opposite party in the Exception to the Report at paragraphs 5 and 8.

At paragraph 9, it has been submitted on behalf of the accused that although it is alleged by the State that the condition of anticipatory bail was violated, the applicant actually had no intention of running away.

It appears from paragraph 5 of the Exception that the petitioner had affirmed an application for relaxation of condition of anticipatory bail on 06.09.2024 and filed it. But the same could be heard finally only on 23.09.2024. By that time, the application had become infructuous due to passage of time.

It is thus apparent that before leaving for Agartala on 11.09.2024, the petitioner had filed an application for relaxation of condition of anticipatory bail. But, the application was not taken up for hearing on the day. According to the accused, the same became infructuous after his visit outside.

Therefore, it appears that the violation of this order that took place was not deliberate as an attempt had been made by the accused to seek relaxation of condition of anticipatory bail before proceeding for Agartala.

It is also a fact that the petitioner did come back from Agartala.

Therefore, no case for cancellation of anticipatory bail is made out.

Considering the above, the application for cancellation of bail is disposed of without any further order, even as to costs.

Urgent photostat certified copies of this order may be delivered to the learned Advocates for the parties, if applied for, upon compliance of all formalities.

(Jay Sengupta, J.)

