

D/L230
16.02.2026
Bpg.
Disposed
of.

C.R.M. (SB) 142 of 2024

In Re: An application for cancellation of Bail under Section 439(2) of the Code of Criminal Procedure, 1973 read with Section 483(3) of the Bharatiya Nagarik Suraksha Sanhita, 2023;

Prasanta Ghosh
Versus
The State of West Bengal & Anr.

Mr. Avinaba Patra.
...for the petitioner.

Mr. Abhinaba Mukherjee.
...for the State.

The opposite party no.2 was granted interim bail in the year 2021 and from time to time it was extended and the interim bail was confirmed in the year 2024. The case is presently pending before the learned ACJM, Alipore, South 24 Parganas.

Learned advocate for the State submits that charge-sheet has already been submitted. The case is yet to be transmitted to the trial court.

Having considered the fact that there has been differences and disputes between the parties for a considerable period of time and insecurity is being faced by the present petitioner, I direct that in case there are overt acts which create a circumstance for jeopardizing the trial of the case, in that situation, if an application is preferred before the jurisdictional Magistrate in seisin of the case, jurisdictional Magistrate will call for a report from

the police authorities regarding the genuinity of the allegations and thereafter will not deter from cancelling the bail if the satiation so demands. At this stage, however, I intend to grant an opportunity to the opposite party no.2.

With the aforesaid observations, CRM(SB)142 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.)