

M/L26
05.03.2026
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C.R.M. (SB) 149 of 2024

In Re: An application for cancellation of bail under Section 480(5) & Section 483(3) of the Bhartiya Nagarik Suraksha Sanhita, 2023;

Masura Sekh @ Masura Sk.
Versus
The State of West Bengal & Ors.

Mr. Prosenjit Mukherjee
Mr. Sourav Pal
Ms. Babita Pramanik.
...for the petitioner.

Mr. Md. Anwar Hossain.
...for the State.

Learned advocate appearing for the petitioner submits that, without taking into account the overall circumstances, learned Magistrate granted bail to the accused persons on 23.09.2024 in connection with Basanti Police Station Case No.764 of 2024.

State has produced the case diary and submitted that there were injuries which are reflected in the case diary.

I have taken into account the nature of injuries which resulted in bleedings, swellings and bruises along with the incised wounds. However, taking into account the manner in which the bail was granted, I reiterate that it would have been proper if the learned Magistrate had called for the case diary before considering the bail. I have also taken into account the nature of the cases which are inter se pending between the parties and arising out of property dispute.

Having considered the period which has passed in the

meantime which is more than 1 year 5 months, I am not inclined to interfere with the order of granting bail but having considered the nature of injuries and the conduct of the accused/opposite parties, I direct that once in every 15 days, the accused/opposite party nos.2 to 8 would attend the Basanti Police Station till the same is modified by the learned ACJM, Alipore or any court in seisin of Basanti Police Station Case No.764 of 2024.

With the aforesaid observations, CRM(SB) 149 of 2024 is disposed of.

Case diary be returned to the learned advocate appearing for the State.

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.)