

SL-2  
23.05.2025  
(ct. no.03)  
S.Mandi

**HIGH COURT AT CALCUTTA  
Circuit Bench at Jalpaiguri  
Criminal Miscellaneous Jurisdiction**

**CRR 141 of 2025  
IA NO: CRAN/2/2025**

**RAFIKUL ISLAM AND ANR  
Vs.  
STATE OF WEST BENGAL AND ORS.**

Mr. Arnab Saha, Adv.  
...for the petitioner

Mr. Nilay Chakraborty, Ld. APP.  
Mr. Tapan Bhattacharjee, Adv.  
... for the State

Mr. Abhimanyu Banerjee, Adv.  
... for the opposite party no. 3

1. Mr. Arnab Saha, learned Counsel, is appearing for the petitioner.

2. Mr. Nilay Chakraborty, learned APP, is appearing for the State.  
Mr. Abhimanyu Banerjee, learned Counsel, is appearing for the opposite party no. 3.

3. The petitioner has filed the present application challenging the order passed by the Learned Additional Chief Judicial Magistrate, Siliguri dated 7<sup>th</sup> April, 2025 wherein the Learned Magistrate has rejected the application filed by the petitioner for interim custody of the cattles seized by the police.

4. Counsel for the petitioner submits that the Investigating Officer has submitted no objection report for releasing of the eighteen

numbers of cattles but in spite of the same, the Learned Magistrate has not released the same.

5. At the time of hearing of the present case, Learned Counsel for the petitioner submits that two cattles have also died. He submits that the police is not having sufficient infrastructure to take care of the cattles which are in the custody of the police.

6. Heard the learned Counsel for the petitioner.

7. This Court finds that before passing any order, a report is required to be called for from the Investigating Officer with respect of the health condition of the cattles and the said report should be certified by the concerned Veterinary Doctor of the concerned area.

8. Let the report be filed by the Investigating Officer by 9<sup>th</sup> June, 2025.

9. List the matter on 9<sup>th</sup> June, 2025.

10. The interim order granted earlier is extended till 10<sup>th</sup> June, 2025 or until further order whichever is earlier.

**(Krishna Rao, J.)**