

01 28.03.2025

Ct-37

ar

WPA(P) 126 of 2025

**Koustav Bagchi
Vs.
The State of West Bengal & Ors.**

Mr. Tarunjyoti Tewari
Mr. Suryaneel Das
Ms. Kausiki Bose
... For the Petitioner

Mr. Anirban Ray, Ld. G.P
Mr. Sirsanya Bandyopadhyay, Ld. SSC
Ms. Amrita Panja Moulick
... For the State

Mr. Dhiraj Trivedi, Ld. D.S.G

1. Showing urgency this matter was mentioned in the morning at the first sitting of the Court. Considering the urgency and gravity of the matter we directed service of notice upon the learned advocate for the State.
2. In view of the urgency pleaded, this matter was published in the supplementary list.
3. The petitioner is an advocate of this Court. He has filed a Public Interest Litigation drawing attention of this Court regarding arson and violence purported to have taken place at Motabari in the district of Malda. It is submitted that a communal violence had broken out at Motabari. The petitioner has disclosed few footages to show the nature and extent of violence.
4. The State is represented by Mr. Sirsanya

Bandyopadhyay, learned senior standing counsel. Mr. Bandyopadhyay on instruction has submitted that there was an incident yesterday at Motabari and a prompt action has been taken by the administration by arresting 25 persons and deploying 300 police personnel including high ranking officials to ensure that no breach of peace takes place.

5. In view of the sensitivity attached to this matter, it is expected that the State should act cautiously and take appropriate measures to ensure safety and security of the people affected by such violence. The State is required to preserve and protect imprescriptible right of its citizens. It shall be the responsibility of the State to restore peace and confidence in the minds of the public. The offenders should be immediately arrested.

6. We direct the District Magistrate and Superintendent of Police, Malda to file an action taken report on 3rd April, 2025 with regard to the steps taken in this regard.

7. At the request of the Court, Mr. Dhiraj Trivedi, learned Deputy Solicitor General, appears and accepts service of notice upon the Union of India being the respondent no. 5.

8. The State administration shall verify the footages, video clippings, Facebook live to be shared

or shared by the petitioner with the learned advocate on record for the State. The report should take into consideration such materials in preparing the report to be filed on 3rd April, 2025.

9. The matter shall be listed on 3rd April, 2025.

(Soumen Sen, J.)

(Smita Das De, J.)