

08.07.2021
tkm/ct 30
sl no. 21

CRAN 1 of 2021
in
CRM 6706 of 2019
(Through video conference)

In Re : An application appropriate order

And

In Re : Bishwajit Bhukta & Anr. petitioners

Mr. Biswajit Mondal

..... for the petitioner

Mr. S Bapuli

Mr. R D Nandy

Mr. Arani Bhattacharya

..... for the State

The present application has been preferred *inter alia* praying for modification of the order dated 30.7.2019 passed in CRM No.6706 of 2019.

Learned advocate for the petitioners submits that primarily due to the pandemic situation, the petitioners could not surrender before the learned court below within the time as specified in the order dated 30.7.2019.

He further submits that the petitioners had no knowledge about the order dated 30.7.2019 since the same was not communicated to them by their learned advocate.

Mr. Bapuli, learned advocate for the State opposes the petitioners' prayer and submits that the present application has been preferred about 1½ years after disposal of the application for anticipatory bail.

We have heard the learned advocates appearing for the respective parties and considered the materials on record.

It appears that the application for anticipatory bail was disposed of on 30.7.2019 granting four weeks' time, from the said date, to the petitioners to surrender before the learned court below. The present application for modification has been filed about 1½ years thereafter.

In the said conspectus, we are not satisfied with the explanation given towards the petitioners' inability to surrender within the time specified.

Accordingly, application being CRAN 1 of 2021 is dismissed.

(Suvra Ghosh, J.)

(Tapabrata Chakraborty, J.)