

28.01.2021
Item No.1
Ct. No.42
CHC

**C.R.R. No.3585 of 2019
IA No.C.R.A.N.1 of 2021
(Physical Hearing)**

In Re: An application under Sections 401/482 for setting aside the impugned order.

In the matter of:-

Sukur Mallick & ors.
.....petitioners

Mr. Kazi Safiullah
... for the petitioners

Mr. Saswata Gopal Mukherji, Ld. P.P.
Mr. Arijit Ganguly
... for the State

The application being C.R.A.N.1 of 2021 praying for modification of the conditions, imposed by order dated 9th December, 2019, passed in C.R.R.3585 of 2019, is taken up for hearing.

Mr. Safiullah, learned advocate for the petitioners submits that petitioners have already complied with the conditions, stipulated in the order dated 9th December, 2019, and the case is ready to be proceeded further, so as to reach its logical conclusion after holding a trial for the purpose.

Mr. Mukherji, learned advocate representing the State submits that conditions were imposed so that the petitioners could ensure their appearance on each date of the trial without

making misuse of the privilege of the bail. When the petitioners have already complied with the conditions, imposed in the order dated 9th December, 2019, in the absence of any adverse report available against the petitioners, the conditions, so imposed by order dated 9th December, 2019 stand lifted and modified to the extent, with a direction to appear in the learned court below on each date of the trial so that the trial is proceeded further.

Learned court below is directed to go ahead with the trial after adhering to the provisions of the law as contained in the Code of Criminal Procedure.

With this observation/direction, the application being C.R.A.N.1 of 2021 stands disposed of.

All parties shall act in terms of copy of this order downloaded from the official website of this Court.

Urgent Xerox certified copy of this order, if applied for, be supplied to the parties, subject to compliance with all requisite formalities.

(Subhasis Dasgupta, J.)