

09.07.21
(S.R.)
Sl.03
Ct.30

CRM No.516 of 2020
with
CRAN No.1 of 2020
and
CRAN No.2 of 2020
Via video conference

In re: Application for modification of the order dated 15.01.2020
passed in CRM No.516 of 2020;

And

In re: Biswajit Dolui @ Biswaji Dolai

... petitioner.

Mr. Saibal Bapuli, APP
Mr. Narayan Prasad Agarwala
Ms. Sayanti Santra

... for the State.

The present application being CRAN 2 of 2020 has been
preferred, *inter alia*, praying for modification of the order dated 15th
January, 2020 passed in CRM No.516 of 2020.

Records reveal that by an order dated 15th January, 2020, the
petitioner's application for anticipatory bail was allowed subject to a
condition that the petitioner shall appear before the learned court
below and pray for regular bail within four weeks from the date of the
order.

In the application it has, *inter alia*, been averred that due to the
pandemic situation and since the petitioner was not intimated about
the order dated 15th January, 2020 by his learned advocate, he could
not appear before the learned court below and pray for bail within the
period specified.

We have heard Mr. Bapuli, learned advocate appearing for the
State and have considered the averments made in the application. Let
the report, as filed by Mr. Bapuli, be kept on record.

The present application has been preferred about one year after
the disposal of the application for anticipatory bail being CRM No.516

of 2020. The explanation given as regards the petitioner's inability to appear before the learned court below and to pray for regular bail, is not acceptable.

Accordingly, the applications being CRAN No.1 of 2020 and CRAN No.2 of 2020 are dismissed.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Suvra Ghosh, J.)

(Tapabrata Chakraborty, J.)