

Sr. 07
16-12-2020
s. d.
ct, no.42

CRR 595 of 2020

In Re : **Motarul Islam** **petitioner.**

In the matter of : An application under Section 401 read with
482 of the Code of Criminal Procedure.

Mr. Mrityunjoy Chatterjee
Mr. Sk. Tosim Ali
.....for the petitioner.

Mr. S. G. Mukherji, PP
Mr. Arijit Ganguly
....for the State.

The present case relates to a Sessions Trial wherein it has been submitted that on 17th January, 2020, the present petitioner could not make himself available before the learned trial court and as such warrant of arrest was issued against him.

Mr. Chatterjee, learned advocate appearing for the petitioner submits that the petitioner is willing and undertakes to surrender before the trial court. However, the present warrant of arrest is creating an impediment.

In view of the undertaking given by Mr. Chatterjee, learned advocate for the petitioner, he is directed to serve upon Mr. Arijit Ganguly, learned advocate who ordinarily appears before the State.

The petitioner is directed to surrender before the learned Additional District and Sessions Judge, 2nd Court, Arambagh, Hooghly in connection with Sessions Trial Case NO. 74 of 2013(S. C. Case No. 93 of 2013) by 24th December, 2020.

In case the petitioner was earlier granted bail in connection with the trial pending then the learned trial court is directed to allow him to continue on the same bail and bond subject to the condition that the petitioner shall meet the Officer-in-Charge, Khanakul Police Station once a week on and from 22nd December, 2020 until further orders.

The warrant of arrest so issued by the learned trial court shall not be executed till 26th December, 2020.

The learned Additional District and Sessions Judge, 2nd Court, Arambagh is directed to act on the server copy of this order and give liberty to the petitioner to produce the certified copy of the order within a period of two months.

With the above observations, CRR 595 of 2020 is disposed of.

Urgent Photostat certified copy of this order, if applied for, be given to the parties upon compliance of all formalities.

(Tirthankar Ghosh, J.)