

D/L. 17.
16.10.2020
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C. R. M. No. 3648 of 2020

(Via Video Conference)

In re: An application for bail under Section 439 of the Code of Criminal Procedure.

In the matter of: Chandan

... petitioner

Mr. Md. Khairul

... for the petitioner.

Mr. Aniket Mitra

...for the State.

I have heard Mr. Md. Khairul, learned advocate appearing for the petitioner and Mr. Aniket Mitra, learned advocate appearing for the State.

It is submitted by Mr. Mitra, learned advocate appearing for the State that this application for bail becomes infructuous in view of the fact that the order of Production on Warrant issued against the petitioner has already been recalled. My attention is invited to an order dated April 22, 2020 in connection with Jorabagan Police Station Case No. 30 of 2020 dated February 22, 2020 under Sections 379 of the Indian Penal Code which reflects that the order of Production on Warrant was issued earlier against the accused persons including the petitioner by the learned court. Both the accused persons are in the jail custody in connection with Malvya Nagar Police Station Case

No. 85 of 2020 dated March 2, 2020 under Section 379 of the Indian Penal Code. Prayer for necessary order of Production on Warrant was recalled and cancelled. So the prayer for bail in connection with this case does not arise.

Learned advocate for the State submits that production of the petitioner is not required in the present case.

Since the production warrant has been recalled and cancelled and petitioner's custody is also not required in connection with this case, the prayer for bail is infructuous and rejected.

CRM 3648 of 2020 is disposed of accordingly.

(Shivakant Prasad, J.)