

12-10-2020

U/L

IN THE HIGH COURT AT CALCUTTA
Criminal Miscellaneous Jurisdiction

C.R.M. No.7507 of 2020

With

C.R.M. 7576 of 2020

Nawaj Sarif Shikari @ Nawaj Sharif Shikari & Anr.

-vs-

The State of West Bengal

(VIA VIDEO CONFERENCE)

In Re: An application for bail under **Section 439 Cr.PC** in connection with N. Case No. 134/2020 arising out of Basirhat Police Station Case No. 551/2020 dated 09.05.2020 under Sections 21(c)/29 of the Narcotic Drugs and Psychotropic Substances (NDPS) Act, 1985.

Mr. Saswata Gopal Mukherjee, P.P.

Mr. Sudip Ghosh

Mr. Apurba Kumar Datta

... For the State.

s.D.

There is patent error on the part of the recording officer in recording the order dated 9th October, 2020, as pointed out by the learned Public Prosecutor, on mentioning. We signed it by oversight.

The error is so patent that we do not think fit and proper even as to give notice to the petitioner or to keep it as “to be mentioned” tomorrow because by this time advantage may be taken of this order.

It is clear from the first few paragraphs of the said order that bail was not granted. In spite of that in the subsequent paragraphs the order recorded that bail was granted.

Therefore, the part of the order ‘**In those circumstances, we allow this application for bail.**

Accordingly, the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- each (Rupees ten thousand only) together with personal release bond of equivalent value each to the satisfaction of the appropriate court, North 24 Parganas. The petitioners must, however, attend on every date fixed for trial, and in the event of failing to do so, the trial court shall be at liberty to cancel the bail of the petitioners without any reference to the court’ be deleted from the order dated 9th

October, 2020.

The advocate-on-record for the learned public prosecutor is to communicate this order by letter to all authorities immediately and also to inform the petitioner of this correction.

(Md. Nizamuddin, J.)

(I.P. Mukerji, J.)