

21.10.2020.

CRR 1433 of 2020

(Through Video Conference)

Jiaul Rahaman

Vs

The State of West Bengal.

Mr. Manas Kumar Das,

...For the petitioner.

Mr. S.G. Mukherjee,

Mr. A. Ganguly,

...For the State.

The impugned order dated 7th March, 2018 passed by the learned Additional Chief Judicial Magistrate, Kandi in G.R.No. 1340 of 2014 under Section 406/409/420 Indian Penal Code issuing warrant of arrest against the petitioner is subject of challenge in this revisional application.

It is submitted by the learned Advocate for the petitioner that the petitioner has been enjoying bail, and due to misconception of date, he could not ensure his appearance on the stipulated date, mentioned for supply of copy, and as a result of which, warrant of arrest has been issued against the petitioner.

Learned advocate appearing for the State submits that the petitioner has misused the privilege of bail and the same should not be likely viewed having regard to the gravity of the case.

Having considered the rival submissions of the parties and bearing in mind the fact that petitioner was on bail, the impugned order issuing warrant of arrest be stayed for five weeks, subject to the condition that the petitioner shall surrender before the learned Additional Chief Judicial Magistrate, Kandi in connection with G.R.

No.1340 of 2014 within such stipulated period, and if any bail petition is filed upon surrendering, the same shall be duly disposed of by the learned Court below in accordance with law providing sufficient opportunity of hearing to either of the parties to this case.

With this direction CRR 1433 of 2020 stands disposed of.

(Subhasis Dasgupta, J.)