

CRR 1837 of 2021
(Via video conference)

In re : An application under Section 401 read with Section 482 of the Code of Criminal Procedure, 1973.

In the matter of : Kamal Paik @ Chiku Paik

..... Petitioner

Md. Bani Israil

Mr. Kanchan Gupta for the Petitioner

Mr. Saswata Gopal Mukherjee,

Ms. Sukanya Bhattacharyya,

Mr. Mirza Firoj Ahmed Bagg,

.....for the State

The petitioner was granted bail on October 01, 2019 in connection with Mandir Bazar Police Station case no. 44 of 2019 dated March 3, 2019 under Section 448/323/325/308/379/34 of the Indian Penal Code, 1860.

Subsequently, the charge-sheet was filed but in view of the absence of the petitioner on the date fixed for appearance, the learned Magistrate issued a warrant of arrest against the petitioner. It has been submitted by the learned Advocate for the petitioner that the petitioner was on bail and he could not be present before the learned Magistrate for his personal difficulties. He is, however, ready and willing to appear before the learned Magistrate on any specified date.

Mr. Saswata Gopal Mukherjee, learned advocate for the State files a report from the police.

This revisional application is disposed of with a direction upon the petitioner to surrender before the learned Magistrate

in the Court below within a period of four weeks from the date. The warrant of arrest shall remain stayed for a period of four weeks. If the petitioner surrenders before the learned Magistrate, his bail application will be considered by the learned Magistrate in accordance with law. If the petitioner fails to surrender before the learned Magistrate, the warrant of arrest issued against the petitioner shall revive and the learned Magistrate will be at liberty to execute the warrant of arrest in accordance with law.

Accordingly, **CRR 1837 of 2021** is disposed of.

All parties are to act on the server copy of this order duly downloaded from the website of this Court.

(Kausik Chanda, J.)