

CRR 1955 of 2021

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

In the matter of : **Mithun Sk. @ Sk. Makbul**

..... petitioner

**Mr. Musharraf Alam Sk.
Mr. Asif Karim**

....For the petitioner

**Ms. Sukanya Bhattacharyya
Md. Kutub Uddin**

.....For the State

It is unfortunate that a warrant of arrest issued against the petitioner could not be executed for about seven years. The petitioner was charged with the offences under Sections 448/376 of the Indian Penal Code, 1860.

Ms. Sukanya Bhattacharyya, learned advocate, who generally appears for the State, is requested to appear in this matter. Let her appointment be regularized.

The case was committed to the Court of Sessions and in view of the absence of the petitioner in the proceeding, the learned Additional Sessions Judge issued a warrant of arrest against the petitioner.

Learned advocate appearing for the petitioner undertakes before the Court that the petitioner will surrender before the learned Additional Sessions Judge, Fast Track, 1st Court, Malda within a period of two weeks from date.

In that view of the matter, without delving into any other aspect, this revisional application is disposed of with a direction upon the petitioner to surrender before the learned Judge in the

Court below within a period of ten days from date. The warrant of arrest issued against the petitioner shall remain stayed for a period of two weeks from date. If the petitioner surrenders before the learned Judge in the Court below within the stipulated period as directed above, the learned Judge in the Court below shall consider the prayer for bail of the petitioner in accordance with law without being influenced by this order.

In the event the petitioner does not surrender within the stipulated period as mentioned above, the learned Judge will be at liberty to execute the warrant of arrest against petitioner.

With the aforesaid, the application being **CRR 1955 of 2021** is disposed of.

All parties shall act upon the server copy of this order duly downloaded from the official website of this Court.

(Kausik Chanda, J.)