

16.12.2021

Item No.16
Ct.No.34
dc.

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURISDICTION**

C.R.R. 2459 of 2021
(Via Video Conference)

Safikul Sai & Anr.
versus
The State of West Bengal

In Re: An Application under Section 482 read with Section 483 of the Code of Criminal Procedure, 1973.

Mr. Sagar Saha ... For the Petitioners.

Ms. Sreyashee Biswas,
Md. Anwar Hossain ... For the State.

Learned advocate for the petitioners submits that the petitioners were granted interim bail on 20.11.2017. However, subsequently for non-appearance of the petitioners on a particular date, warrant of arrest was issued.

Records which have been placed before me suggest that the interim bail was not confirmed. However, having regard to the manner in which the courts have proceeded in a staggered manner because of COVID 19 pandemic, I am of the view that personal liberty of the petitioners are to be appreciated in the background of Article 21 of the Constitution of India.

Learned advocate, appearing for the petitioners, undertakes that the petitioners would abide by the terms and conditions imposed by the learned trial court. Having regard to the same, I direct that in case the petitioners surrender by 16.01.2022, the learned trial court would allow the petitioners to continue on the same terms of interim bail

which was granted earlier and after taking into account the case diary, produced by the learned Public Prosecutor, would consider the confirmation of bail within a reasonable period of time, preferably by 16.02.2022.

The warrant of arrest, so issued, be stayed till 18.01.2022. In case, the petitioners do not surrender by 18.01.2022, the learned court would be at liberty to issue fresh warrant of arrest on 19.01.2022.

With the aforesaid observations, the revisional application being CRR 2459 of 2021 is disposed of.

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

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Tirthankar Ghosh, J.)