

D/L 118
December
22, 2021
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C.R.R. No.2526 of 2021
(Via Video Conference)

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

Bajrangi Saroj @ Bajrangi
Versus
State of West Bengal

Mr. Sourav Mukherjee.
...for the petitioner.

Mr. Md. Anwar Hossain,
Mr. Mirza Fajroji Ahmed Begg.
...for the State.

The grievance of the petitioner relates to the order dated 8.3.2021 wherein the learned CJM, Howrah was pleased to issue warrant of arrest, proclamation and attachment. Order dated 8.3.2021 do not reflect any subjective satisfaction in terms of Section 82 of the Code of Criminal Procedure.

Mr. Md. Anwar Hossain, learned advocate appearing for the State supports the order dated 8.3.2021. His appointment may be regularised by the concerned authorities.

Accordingly, the order issuing proclamation and attachment is hereby set aside. However, the warrant of arrest so issued shall remain operative and the police authorities will be at liberty to execute the same.

The police authorities would submit a detailed report regarding the non-execution of the warrant of arrest and the learned

trial court thereafter will be at liberty to consider so far as the subject-matter of proclamation is concerned.

With the aforesaid observations, CRR 2526 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.

(Tirthankar Ghosh, J.)