

08.11.2021

Item No.4
Ct.No.34
dc.

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

C.R.R. 3338 of 2012
(Via Video Conference)

Swapan Kumar Das & Ors.
versus
The State of West Bengal & Anr.

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

Mr. Saibal Mondal,
Ms. Nibedita Chakraborty ... For the Petitioners.

Mr. Arijit Ganguly,
Ms. Manisha Sharma ... For the State.

Report dated 01.10.2021 submitted by Officer-in-Charge, Khejuri Police Station be kept with the record.

Mr. Mondal, learned advocate appearing for the petitioners is aggrieved by the manner in which the FIR was registered after almost two years six months of the incident.

I find that charge-sheet has already been submitted in connection with the instant case. Having regard to the contents of the FIR, more particularly the Acts under which the petitioners have been implicated, I do not find any reason to interfere with the continuation of the proceedings after completion of the investigation.

It has been submitted on behalf of the petitioners that they are afraid of attending the court as there is every possibility of their liberty being jeopardized.

Having regard to the fact that the petitioners are all residing within the jurisdiction of Purba Medinipur and within the police station of Khejuri, Bhagabanpur and Contai

and they are all teachers of Begunbari High School, I am of the view that their custodial detention at this stage may not be warranted in the facts and circumstances of the case. Further it has been undertaken that the petitioners would cooperate with the progress of the trial.

In view of the aforesaid, the learned Additional Chief Judicial Magistrate, Contai or the learned Special Court relating to Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act would release the petitioners on bail in case they surrender by 1st December, 2021. So far as the terms and conditions are concerned, the learned Court would impose the same so as to ensure their appearance in course of the trial. For a period of four months, the court should ensure that the petitioners report once a week to the local police station where they reside.

If the petitioners do not surrender by 1st December, 2021, the concerned court will be at liberty to issue warrant of arrest on 2nd December, 2021 without any further intimation.

With the aforesaid observations, the revisional application being CRR 3338 of 2012 is disposed of.

Interim order, if any, is hereby vacated.

All pending connected applications, if any, are consequently 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.)