

28.06.2021
Ct No. 35
D/L (J) 2
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CIRCUIT BENCH OF CALCUTTA HIGH COURT
AT
JALPAIGURI
CRIMINAL REVISIONAL JURISDICTION

C.R.R. 104 of 2021
(Via Video Conference)

Faridul Rahaman
-Vs-
The State of West Bengal

Mr. Anirban Banerjee,

... for the petitioner

Mr. Ujjal Luksom,

... for the State

In this revisional application, the petitioner has challenged an order dated 16th January, 2021 whereby the learned Additional Sessions Judge, 1st Court, Cooch Behar (NDPS) issued a warrant of arrest against the petitioner for his absence on the date fixed for examination under Section 313 of the Code of Criminal Procedure, 1973.

The learned Judge noted that the petitioner was absent on earlier occasions when the Court suo-moto adjourned the matter excusing his absence, keeping in mind the pandemic situation.

Mr. Anirban Banerjee, learned advocate appears for the petitioner and submits that his client is ready and willing to surrender before the learned Judge in the Court below on the next date of hearing.

In view of the submissions made on behalf of the petitioner, this revisional application is allowed, by staying the warrant of arrest issued against the petitioner on 16th January, 2021 for a period of eight weeks from date. The petitioner will surrender the before learned Additional Sessions Judge, 1st Court, Cooch Behar (NDPS) within that period and the learned Additional Sessions Judge will consider the prayer for bail of the petitioner without being influenced by this order.

If the petitioner fails to comply with this order, the warrant of arrest issued against the petitioner shall revive and the learned Additional Sessions Judge shall execute the same in accordance with law.

The revisional application being **C.R.R. 104 of 2021** is, thus, disposed of.

Urgent photostat certified copy of this order, if applied for, be given to the parties, upon compliance of all formalities, on priority basis.

(Kausik Chanda, J.)