

GA 7 of 1987
The State of West Bengal
Vs.
Bidyut Kumar Biswas

Mr. Saswata Gopal Mukherjee, Learned Public Prosecutor
Mr. Narayan Prasad Agarwal
Ms. Subhasree Patel **...For the Appellant/State**

The instant appeal has been preferred by the State of West Bengal. The appellant, State of West Bengal is represented by Saswata Gopal Mukherjee, learned Public Prosecutor with Mr. Narayan Prasad Agarwal, learned Advocate and Ms. Subhasree Patel, learned Advocate.

The appointment of Mr. Agarwal and Ms. Patel be regularized.

None appears on behalf of the respondent when the appeal is taken up for hearing.

It is submitted by the learned Public Prosecutor that he has no instruction as to conducting the of appeal. Under such circumstances, it is submitted on behalf of the State of West Bengal that the Court may pass necessary order or direction as the Court may deem just considering the age of the appeal.

I find that the instant appeal has been preferred against the order of acquittal dated July 01, 1986 passed by the learned Judge, Special Court (E.C. Act), Krishnagar, Nadia in E.C. Case No. 38 of 1985 / T.R. No. 10 of 1986 under Section 7(1)(a)(ii) of the Essential Commodities Act, 1955.

I have read the impugned judgment and the order of acquittal passed in the aforesaid case by the learned trial Judge. I have perused the materials on record.

I do not find any justification to interfere with the judgment

and the order of acquittal passed by the learned trial Judge. The appeal is pending since 1987.

Having considered all aspects of the matter I feel that the appeal is liable to be dismissed. Hence the appeal is dismissed.

The judgment and the order of acquittal passed by the learned trial Judge, Special Court (E.C. Act), Krishnagar, Nadia in E.C. Case No. 38 of 1985 / T.R. No. 10 of 1986 under Section 7(1)(a)(ii) of the Essential Commodities Act, 1955 is hereby confirmed.

Send back the relevant case records to the learned Court below immediately along with the copy of this order.

GA 7 of 1987 is disposed of accordingly.

(*Rabindranath Samanta, J.*)