

25.07.2022
S/L No.7
KS

C.R.R. 484 of 2015

Sri Avijit Roy @ Bittu
-Vs.-
The State of West Bengal

The revisional application is listed today for hearing.

None appears for the petitioner.

The petitioner has filed this revisional application under Section 482 of the Code of Criminal Procedure assailing order dated 09.01.2015 passed by Learned Court of Special Executive Magistrate, Barrackpore Police Commissionerate under Section 110 of the Code of Criminal Procedure passed in Misc. Case No.105 of 2014 where the prayer of the petitioner for modification of order dated 29.09.2014 directing the petitioner to furnish a bond of Rs.20,000/- each with two sureties was rejected.

Perused the order dated 29.09.2014. The petitioner was found to a habitual offender and on the basis of the police report the proceedings under Section 110 of the Code of Criminal Procedure was drawn against the accused person and he was directed to show cause under Section 111 of the Code of Criminal Procedure as to why he should not be asked to execute a bond of Rs.20,000/- each with two sureties, one of whom would a registered surety and another a Government employee for good behaviour for a period of three years. There was a direction to produce the accused person on 31.10.2014 as per Section 113 of the Code of Criminal Procedure. On 09.01.2015 learned advocate for the petitioner filed an application for

modification of the order. Learned Special Executive Magistrate after considering all the documents on record the prayer for modification of the order dated "22.09.2014" was rejected.

None appears for the petitioner, however, from the face of the impugned order, it appears that Learned Magistrate while rejecting the prayer of the petitioner had incorrectly mentioned the date of order required to be modified as order dated 22.09.2014 in place of an order dated 29.09.2014. However, there is no merit in the application seeking modification of such order where the petitioner was directed to submit his bond for the purpose of maintaining good behaviour for a period of three years.

Under such circumstances, the order passed by Learned Magistrate suffers from no illegality and the same calls for no interference.

The revisional application is dismissed.

Let a copy of this order be communicated to Learned Special Executive Magistrate, Barrackpore Police Commissionerate for information.

(Ananda Kumar Mukherjee, J.)