

14.11.2022
Sl.No. 85
Ct. 236
Amalranjan

IN THE HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURISDICTION
APPELLATE SIDE

CRR 1117 of 2011

Manik Ghosh and ors.
Vs.
The State of West Bengal

In Re: An application under Sections 401 and 482 of the
Code of Criminal Procedure, 1973.

In Re: Manik Ghosh and ors.... petitioners

Mr. Narayan Prasad Agarwal
Mr. Pratick Bose

...for the State

This is an application under Section 401 read with
under Section 482 of the Criminal Procedure Code
challenging the order dated 10th August, 2009 passed by the
learned Additional District & Sessions Judge, Fast Track, 2nd
Court, Raiganj, Uttar Dinajpur in Sessiojns Case No. 215 of
2008.

The matter is pending since 2011 and on the last
occasion the matter was adjourned indicating that on the
adjourned date if none is found to represent the petitioners,
the matter will be disposed of on merit, based on materials
available with the record. Accordingly, I take up this
application for consideration on merit.

Briefly stated on 26th March, 2006 one Atikur
Rahaman informed the Officer-in-Charge of Itahar police
station in writing about an incident that took place on 26th
March, 2006 when some local people were catching fish in

Roygachi Bil. The petitioners who are arrayed as accused persons allegedly came there being armed with bow and arrow, farso and attacked them. As a result, Ajad Ali, Sufal Hembram sustained injuries and were taken to hospital. The information since disclosed offence cognizable in nature, the police registered an FIR and took up investigation which culminated into submission of chargesheet being no. 139 of 2006 dated 29th September, 2006 against the accused persons. On 10.08.2009 learned trial court framed charge under Sections 147, 148, 149, 323, 325, 324 and 307 of the Indian Penal Code and the accused persons claimed to be tried of the pleading their innocence.

Having considered the facts and materials made available with the record, I do not find any reason to interfere with the impugned order dated 10th August, 2009.

The criminal revision in my humble opinion is devoid on merit and is dismissed, however, without costs.

A copy of this order be sent down to the learned trial court for an information and necessary action.

The revisional application CRR 1117 of 2011 and the application, if any, stand disposed of.

The interim order, if any, stands vacated.

All parties are to act on the server copies of this order duly downloaded from the official website of this court.

(Siddhartha Roy Chowdhury, J.)