

01-07-2022
KB
Item no.25

C.R.R. No. 2083 of 2022

**Raisuddin
-vs-
The State of West Bengal**

Mr. Sambhunath De ...for the petitioner.

On perusal of the impugned order and materials on record, this Court is of the view that the instant criminal revision can be disposed of here and now with the assistance of the learned advocate for the State.

Mrs. Amita Gaur, Learned P.P.-in-Charge is requested to assist this Court on behalf of the State and copy of the petition has been served upon the learned advocate for the State.

The petition is taken up for hearing.

In the instant revision, the petitioner has challenged the legality and validity of the order dated 8th June, 2022 passed by the Learned Additional Chief Judicial Magistrate, Chanchal, Malda in Chanchal Police Station Case No. 156 of 2022 dated 17th February, 2022 (G.R. No. Case 355 of 2022) under Sections 411/413/414 of the Indian Penal Code.

It is submitted by the learned advocate for the petitioner that the petitioner was granted interim bail on 5th March, 2022 by the Learned Additional Chief Judicial Magistrate at Chanchal.

The said interim bail was extended till 8th June, 2022.

On 8th June, 2022, the accused appeared in the court below but due to non-appearance of another accused the learned Additional

Chief Judicial Magistrate, Chanchal recalled the order of interim bail and issued warrant of arrest against the petitioner.

It is submitted by the learned advocate for the petitioner that the petitioner is ready and willing to surrender before the trial court.

Since the petitioner was already on bail and warrant of arrest was issued apparently due to mistake of fact, execution of warrant of arrest be stayed for a period of three weeks.

In the meantime, the petitioner shall surrender before the court and the learned trial court will consider as to whether petitioner may be allowed to remain on same bail or he be released on fresh bond, without being influenced in any way by this order.

The instant revision is thus disposed of with the following directions.

The petitioner is at liberty to act upon the server copy of the order.

(Bibek Chaudhuri, J)

