

20.04.2022
Sl. Nos.24 to 26
akd

C. R. A. 340 of 2021
(CRAN 2 of 2022)

W I T H

C. R. A. 329 of 2021

W I T H

C. R. A. 377 of 2021
(CRAN 2 of 2022)

In Re : Ajoy @ Ajay Das & Anr. ... Appellants [in CRA 340/2021]

W I T H

In Re : Ranjit Kumar Bind & Anr. ... Appellants [in CRA 329/2021]

W I T H

In Re : Ritesh Kumar Ram ... Appellant [in CRA 377/2021]

Mr. Uday Sankar Chattopadhyay
Mr. Santanu Maji
Ms. Snigdha Saha
Ms. Trisha Rakshit

... for the appellants [in CRA 340/2021]

Ms. Eshita Dutta

... for the appellants [in CRA 329/2021]

Mr. Swapan Kumar Mallik
Mr. Tarun Kumar Ghosh
Mrs. Suvasree Ghose

... for the appellant [in CRA 377/2021]

Mr. Swapan Banerjee
Mrs. Purnima Ghosh

... for the State [in CRA 340/2021]

Mr. Narayan Prasad Agarwala
Mr. Pratick Bose

... for the State [in CRA 329/2021]

Mr. Parthapratim Das
Ms. Amita Gaur

... for the State [in CRA 377/2021]

In Re : C. R. A. 377 of 2021
(CRAN 2 of 2022)

The appeal is not maintainable as the appellant had preferred an earlier appeal being CRA 340 of 2021 against the selfsame judgment and order.

Accordingly, the appeal being CRA 377 of 2021 is dismissed as not maintainable.

In view of dismissal of the appeal, the application for suspension of sentence being CRAN 2 of 2022 is also dismissed.

In Re : C. R. A. 340 of 2021
(CRAN 2 of 2022)

We have considered the evidence on record. Stolen articles were recovered from the appellants and they appear to have criminal antecedents. In view of the aforesaid facts, we are not inclined to suspend the sentence imposed upon the appellants.

Accordingly, application for suspension of sentence is turned down.

The application being CRAN 2 of 2022 is thus **rejected**.

It may be relevant to note no application for suspension of sentence has been filed in respect of the appellants in CRA 329 of 2021. They stand on the same footing with the appellants in CRA 340 of 2021 whose prayer for suspension of sentence has been turned down by this court.

Paper books be prepared within eight weeks from the date of receipt of lower court records.

Let both the appeals being CRA 340 of 2021 and CRA 329 of 2021 be heard analogously.

Liberty to mention.

(Bivas Pattanayak, J.)

(Joymalya Bagchi, J.)