

06.05.2022

Item No.65
Ct.No.34
dc.

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURISDICTION**

C.R.R. 2907 of 2013

**Madhusudan Das & Ors.
versus
The State of West Bengal**

Mr. Arijit Ganguly,
Mr. Sanjib Kumar Dan

... For the State.

The present revisional application has been preferred against the order dated 25.07.2013 passed in connection with G.R. No. 2742 of 2013 arising out of Barasat Police Station Case No. 1556 dated 11.07.2013.

The learned Chief Judicial Magistrate, Barasat in his order dated 25.07.2013 was pleased to observe that by suppressing material facts, the petitioners obtained interim bail and consequently vacated such interim bail and directed for initiation of proceeding under Section 446 of the Code of Criminal Procedure against the sureties. By the said order dated 25.07.2013, the learned court was pleased to issue warrant of arrest against the present petitioners.

The order dated 27.08.2013, passed by a co-ordinate Bench of this Court, reflects that the order dated 25.07.2013, passed by the learned Chief Judicial Magistrate, Barasat, was stayed for a period of two weeks after the puja vacation of the year 2013. More than seven years have passed since then.

As none appears on behalf of the State, Mr. Arijit Ganguly, learned advocate, who ordinarily appears for the State, is directed to appear in this matter and represent the

State. His appointment may be regularized by the concerned authorities.

Having regard to the reasons so assigned by the learned Chief Judicial Magistrate, Barasat in respect of interference in an order of interim bail where there was suppression of facts, I am of the opinion that there is no illegality in the order dated 25.07.2013 so passed by the learned Chief Judicial Magistrate, Barasat. No interference as such is called for.

Accordingly, the revisional application being CRR 2907 of 2013 is dismissed.

Interim order, if any, is hereby vacated.

All pending connected applications, if any, are consequently disposed of.

All parties shall act on the server copy of this order duly downloaded from the official *website* of this Court.

(Tirthankar Ghosh, J.)