

03-01-2023
Subha
Item no.19
Ct no.34

*IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction*

**CRR 311 of 2021
With
CRAN 1 of 2021**

***Anup Bhattacharya @ Mana @ Anup Kumar Bhattacharjee
-versus-
The State of West Bengal.***

Re : An application under Ss. 397/401 read with Section 482 of the Code of Criminal Procedure.

Mr. S.G. Mukherji, Id. PP,
Mr. Partha Pratim Das
Ms. Manisha Sharma
....for the State.

The revisional application has been preferred challenging the order dated 14-01-2021 passed by the learned Executive Magistrate, Sadar, Purba Bardhaman in Misc. Case No. 426 of 2021 wherein the learned Executive Magistrate passed an order drawing a proceedings against the present petitioners under Section 107 of the Code of Criminal Procedure directing them to appear in person and submit show cause as to why they shall not be ordered to execute a bond of Rs.1000/- each for maintaining peace for a period of one year only.

The petitioners have challenged the proceedings on the ground that the substance of the accusation against them were not recorded in the order passed wherein they were directed to answer a cause.

I have perused the order dated 14th January, 2021 and I find that there are no reasons or any substance of accusation which have been laid down in the order passed by the learned Executive

Magistrate.

Having considered the same in the background of Chapter VIII of the Cr.P.C, I am of the opinion that such order dated 14th January, 2021 is bad in law and accordingly, the same is quashed.

Accordingly, the revisional application being **CRR 311 of 2021** is **allowed**.

Pending applications, if any, are consequently disposed of.

All concerned parties are to act in terms of a copy of this order duly downloaded from the official website of this court.

[Tirthankar Ghosh, J]