

August 9, 2023
AD-52
Ct. 34
SG

IN THE HIGH COURT AT CALCUTTA
CRIMINAL APPELLATE JURISDICTION

CRR 1134 of 2023

In Re. An application under Section 401 of
the Code of Criminal Procedure, 1973.

In the matter of: Sk. Asraf Ali and another
... petitioners

Mr. Abhijit Kumar Adhya
Mr. Bikash Chowdhury
... for the petitioners.

Mr. S.G. Mukherjee, ld. PP
Mr. Arijit Ganguly
Mr. Koushik Kundu
... for the State.

Mr. Debabrata Acharyya
Mr. Sital Samanta
... for the OP No.2.

Petitioners are directed to serve a copy of the revisional application upon Mr. Kundu, learned advocate, who ordinarily appears on behalf of the State. His appointment may be regularised by the concerned authorities.

Learned advocate for the petitioners submits that the petitioners intend to surrender before the learned special court and they pray that in the meantime they may be arrested as warrant of arrest is pending.

In view of the series of the orders which have been enclosed, I grant liberty to the petitioners to surrender before the special court and the special court will decide the application for bail in accordance with law.

Learned advocate for the opposite party No.2 has objection to the contentions advanced by the petitioners.

This Court feels in case the petitioners appear and surrender before the special court, the special court will consider the application for bail in accordance with law.

Needless to state that the special court would independently consider the application for bail of the petitioners in case they surrender without being influenced by any observation made by this Court.

With the aforesaid observations, CRR 1134 of 2023 is disposed of.

Pending application, if any, is consequently disposed of.

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

Urgent photostat certified copy of this order be immediately made available to the parties, subject to compliance with all requisite formalities.

(Tirthankar Ghosh, J.)

