

June 6, 2023
AD – 36
Ct. 34
SG

CRR 1935 of 2023

Rakibul Sheik @ Kowsar @ Sahidul @ Seku
-versus-
The State of West Bengal

Mr. Sajal Kumar Ghosh
... for the petitioner

Mr. Madhusudan Sur, Id. APP
Mr. Dipankar Paramanick
... for the State.

The petitioner is aggrieved by the fact that although he is in custody for more than 5 years, the trial of the case is not proceeding as the court of learned Additional Sessions Judge, 2nd Court, Jangipur is long vacant.

The petitioner is directed to hand over a copy of the revisional application to Mr. Sur, learned advocate who ordinarily appears on behalf of the State, and is directed to represent the State. His appearance may be regularised by the concerned authorities.

In view of the detention of the present petitioner for a considerable period of time, I direct that the learned District and Sessions Judge, Murshidabad will take into account the factum of the advanced stage of the trial as the order reflects that CSW 8 and 9 is fixed for evidence. The District and Sessions Judge in his wisdom, if the court is lying vacant, will withdraw this particular Sessions Case being SC No.203/19 from the court of learned Additional Sessions Judge, 2nd Court, Jangipur, Murshidabad and

allot the case to a court under his jurisdiction where the presiding officer is available.

The petitioner is granted liberty to produce this order before the learned District and Sessions Judge, Murshidabad who would take steps by exercising his own discretion within a week from date of communication of this order.

With the aforesaid observations, CRR 1935 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.

(Tirthankar Ghosh, J.)