

17.07.2023
Serial no. 41
[G.S.D]

CRR 1962 of 2023

In the matter of : Kuyar Saren

... .. Petitioner

Mr. Nanigopal Chakraborty

... .. For the Petitioner

Supplementary Affidavit filed by the petitioner be kept with the record.

The petitioner is directed to serve a copy of this revisional application upon Ms. Sujata Das, Learned Advocate, who ordinarily appears on behalf of the State. Her appearance may be regularised by the concerned authority.

The subject-matter of this revisional application relates to warrant of arrest arising out of Nayagram P.S. Case No. 8 of 2009.

The petitioner is aggrieved by the order dated 31.07.2019. The order dated 31.7.2019 reflects the issuance of warrant of arrest so far as the petitioner is concerned.

The Supplementary Affidavit which has been filed was with the purpose of showing before this Court that the petitioner was granted ad interim bail on 18th February, 2013.

The case is of the year 2009. Today, we are in 2023. Moreover, 14 years have passed.

Having considered the nature of the offence and the issue relating to the warrant of arrest, I am of the view that the petitioner's liberty to the extent of bail may not be interfered with.

Accordingly, if the Learned Magistrate finds from the records of the case that the petitioner was on bail, he would allow him to continue on the same ad interim bail. The petitioner would furnish a fresh bond with two sureties, one of whom would furnish a bond of Rs.5,000/- and other local surety would submit the Title Deed of the property which would be of a person within the territorial jurisdiction of the Learned Trial Court. The petitioner shall for the next six months meet the Officer-in-Charge/Inspector-in-Charge or any other Police Officer deputed by him once in a week. The warrant of arrest so issued or the subsequent process so issued be stayed till 1st October, 2023.

In the meantime, if the petitioner surrenders, the aforesaid conditions should be imposed. But, if the petitioner do not appear by the aforesaid date, i.e. on 2nd August, 2023, the Learned Trial Court would proceed for implementing the harsher process of law.

With the aforesaid observations, CRR 1962 of 2023 is disposed of. Pending application(s), if any, is also disposed of.

The Learned Magistrate is directed to act on a server copy of this order, duly collected from the official website of the Hon'ble High Court, Calcutta.

All parties to act on a server copy of this order duly obtained from the official website of the Hon'ble High Court, Calcutta.

Urgent Photostat certified copy of this order, if applied for, be supplied to the parties, subject to compliance with all requisite formalities.

(Tirthankar Ghosh, J.)