

D/L9
22.06.2023
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C.R.R.2212 of 2023

In Re: An application under Section 401 read with Section 482 of the
Code of Criminal Procedure, 1973;

Sukumar Debnath
Versus
The State of West Bengal

Mr. Palash Chandra Poddar.
...for the petitioner.

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

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

The subject matter of the revisional application relates to the execution return of the warrant of arrest which was issued by the learned Additional Sessions Judge, 5th Court, Howrah.

Learned advocate appearing for the petitioner submits that the said warrant of arrest is still pending.

The subject matter of the case is under Sections 376/323/341 of the Indian Penal Code as has been averred in the application.

In view of the submissions made by the learned advocate appearing for the petitioner, I direct that in case the petitioner surrenders before the learned Additional Sessions Judge, 5th Court, Howrah by 7th July, 2023 and prays for bail, the learned special court would consider his application for bail in accordance with law.

In case the petitioner do not surrender by 7th July, 2023, the warrant of arrest so kept in abeyance be revived on and from 10th July, 2023 and the learned trial court would proceed to the next harsher process of law.

With the aforesaid observations, CRR 2212 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, if applied for, be supplied to the parties upon compliance of all requisite formalities.

(Tirthankar Ghosh, J.)