

09.08.2023

Item No.33

Ct.No.34

dc.

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURISDICTION**

C.R.R. 2580 of 2023

with

CRAN 1 of 2023

In the matter of : **Debashis @ Debasis @ Debasish Bala & Anr.**
... Petitioners.

Mr. Shibaji Kumar Das,
Ms. Rupsa Sreemani ... For the Petitioners.

Mr. S. G. Mukherjee, Ld. P.P.,
Mr. Mirza Firoj Ahmed Begg ... For the State.

Re: CRAN 1 of 2023

(an application under Section 5 of the Limitation Act)

Learned advocate appearing for the petitioners prays
for condonation of delay in preferring this revisional
application.

The reasons so assigned in the application for
condonation of delay are found to be just and sufficient.
Accordingly, delay is condoned. The application being CRAN 1
of 2023 is, thus, allowed.

Re: CRR 2580 of 2023

The petitioners have complied the order which has
been passed in the present revisional application being CRR
2580 of 2023. The order dated 01.08.2023 reflects that the
petitioners have been taken into custody by the learned
Additional Sessions Judge, Fast Track Court, Kalyani, Nadia
(in Charge). The learned sessions court was of the opinion
that after warrant, proclamation and attachment was issued
against the petitioners, steps were taken to move the Hon'ble
High Court. The learned Additional Sessions Judge was
pleased to reject their prayer for bail by considering their
conduct.

According to Mr. Das, learned advocate appearing for the petitioners, the petitioners were never named in the FIR, but subsequently named in the charge-sheet.

The nature of the allegations complained of are under Section 304 of the Indian Penal Code. Charge-sheet was submitted under Section 304 of the Indian Penal Code. Having regard to the factum of degree of culpability or blameworthiness and/or complicity of the petitioners and the issue regarding that the petitioners having adhered to the orders passed by this Court, learned Sessions Judge is directed to reconsider the prayer for bail of the petitioners, if such an application is preferred within a week from date and the same be disposed of as expeditiously as possible preferably within ten days thereafter.

Report so submitted by Mr. Begg, learned advocate appearing for the State regarding compliance of the conditions on three dates be kept on record.

With the aforesaid observations, the revisional application being CRR 2580 of 2023 is disposed of.

All concerned 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 with all requisite formalities.

(Tirthankar Ghosh, J.)