

24.07.2023
Serial no. 39
[G.S.D]

CRR 2668 of 2023

In the matter of : Mithun Sarkar

... .. Petitioner

Mr. Susnigdho Bhattacharyya
Ms. Bidisha Chakraborty

... For the Petitioner

Mr. Arijit Ganguly
Mr. Sanjib Kr. Dan

... for the State

The petitioner is directed to serve a copy of this revisional application upon Mr. Arijit Ganguly, Learned Advocate, who ordinarily appears on behalf of the State. His appearance may be regularised by the concerned authority.

The Learned Advocate for the petitioner submits that the petitioner was earlier granted bail on 17th of January, 2015 and was participating in the proceedings. However, due to miscommunication, he could not appear and warrant of arrest has been issued against the petitioner.

I find that the charges are under Sections 413 and 414 of the Indian Penal Code and Section 11(1)(d) of the Prevention of Cruelty to Animal Act, 1960. Charge-sheet has been submitted before the jurisdictional Court.

Learned Advocate undertakes that, henceforth, the petitioner would physically be present on each and every

date when the proceedings will be fixed by the Learned ACJM, Bongaon or the Learned Trial Court would proceed with the proceedings.

Having regard to the fact that the petitioner was earlier granted bail, I direct that in case the petitioner surrenders by 11th of August, 2023, he may be allowed to continue on the same bail bond and the execution of warrant of arrest be stayed till the 14th of August, 2023.

In case, the petitioner do not appear on 14th of August, 2023, the order relating to warrant of arrest would revive and the Learned ACJM, Bongaon would proceed for issuing next harsher process of law. A condition be imposed that when the petitioner will surrender, for the next three months, he would be meeting with the Officer-in-charge, Gopalnagar P.S. once in every ten days.

With the above observations, CRR 2668 of 2023 is disposed of.

Pending application(s), if any, is also disposed of.

Parties to act on a server copy of this order, duly collected 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.)

