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04.09.2023
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Ct 14

WPA 18996 of 2023

Sajjad Karim Thunder
-vs-
State of West Bengal & ors.

Mr. K. S. Alam
Mr. Sayan Raul
.....for the petitioner
Mr. Ansar Mondal
Mr. Asish Dutta
...for the State

This is an application praying for a direction against the respondent authorities to take proper steps against the accused private respondents in view of the order passed by this Court.

Learned counsel appearing on behalf of the petitioner submits as follows. On 16.06.2017, the private respondents set fire to the house of the nephew of the petitioner. Two persons died. Subsequently, their mother died too. In 2018, a warrant of arrest was issued against the accused. Subsequently, the bail prayer of the private respondent was rejected by this Court. Suppressing this, an application for bail was made before the learned Sessions Court which was granted. Later on, when the same was pointed out to the learned Session Judge, bail granted to the accused was cancelled. This was challenged by the accused before this Court in revision. By an order dated 20.04.2023 passed by this Court in CRR 1525 of 2018, this Court affirmed the

order of cancellation of bail. Despite this, no steps have been taken by the investigating agency to apprehend the accused who is threatening the petitioner and other witnesses.

Learned counsel appearing on behalf of the State relies on the report and submits as follows. It does not appear from the report of the State dated 16.08.2023 that after 2019, any steps have been taken for apprehending the accused. However, it has been mentioned that the investigation of the case was handed over to the CID. In such event, the CID should have filed a report after being intimated about the same by the local police.

No fruitful purpose would be served to ask for a report again from the authorities.

Let the present Investigating Agency take steps to secure the attendance of the absconding accused before the Court of law.

The same shall be done with utmost diligence and promptitude.

With these observations, the writ petition is disposed of.

Urgent Photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

(Jay Sengupta, J.)