

11.08.2023
tkm/ct 28
sl no.35

C.R.M. (DB) 3178 of 2023

In Re : An application under section 439(2) of the Code of Criminal Procedure

And

In Re : Smt. Sutapa Das

..... petitioner

Ms. Jewel Chanda
Ms. Jiya Bose

....for the petitioner

1. Petitioner submits that opposite party nos. 2 to 4 appeared before the magistrate on 2.8.2023 and prayed for bail. Thereafter they withdrew their bail application and were permitted to leave the court.
2. On the next day they again appeared and were released on bail.
3. Perusal of the order sheet shows that there is no reflection of any event on 2.8.2023. Failure to record the proceedings before a court must be agitated before the said court itself. Hence, we give liberty to the petitioner to approach the learned magistrate with appropriate prayer and in such event, the magistrate shall make necessary recordings in the order sheet in accordance with law.
4. We make it clear that all other issues are kept open.
5. In view of above, CRM (DB) 3178 of 2023 is disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)