

D/L64
22.08.2023
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C.R.R.3030 of 2023

In Re: An application under Section 482 of the Code of Criminal Procedure;

Biswaranjan Das and others
Versus
The State of West Bengal and another

Mr. Suman De
Mr. Abhinaba Mukherjee.
...for the petitioners.

Mr. Madhusudan Sur
Mr. Manoranjan Mahata.
...for the State.

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

Learned advocate appearing for the petitioners has pointed out that earlier in CRR 871 of 2014 since there was a communication gap, learned advocate appearing for the petitioners did not pursue with the revisional application and, as such, the same was dismissed for non-prosecution.

Learned special court has been pleased to issue warrant of arrest against the petitioners.

Having considered the prayer advanced before this Court, I direct the learned special court that the learned advocate representing the petitioners would file an application for bail and a date be fixed by the learned special court issuing notice to the de facto complainant as well as the State. On the said date, the

petitioners must be physically present before the court. Learned trial court/special court will consider the application for bail of the petitioners on the said date by consulting the case diary as well as the objections raised by the other side. Needless to state that if for the purposes of the trial the custodial interrogation of the petitioners are unwarranted, the learned trial court would see that unnecessarily the petitioners are not taken into custody.

The execution return of arrest is stayed till 15th September, 2023. All processes including the factum of consideration of the application for bail, if preferred by the petitioners be disposed of within the aforesaid period.

With the aforesaid observations, CRR 3030 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.)