

D/L60
23.08.2023
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C.R.R.3051 of 2023

In Re: An application under Section 482 read with Section 401 of the
Code of Criminal Procedure, 1973;

Rajib Chowdhury
Versus
The State of West Bengal

Mr. Habibur Rahaman
Mr. Kapil Guha
Mr. Archishman Singh.
...for the petitioner.

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

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

Petitioner is aggrieved by the fact that he was on bail, but since the case records were transmitted to the learned special court pursuant to the provisions of POCSO being added which was unknown to him, he could not make proper follow up and, as such, warrant of arrest was issued against him.

Learned advocate appearing for the petitioner prays for appearing in the trial court and is apprehensive that the warrant of arrest may result in his liberty being jeopardized.

Having regard to the fact that the petitioner was earlier granted bail by an order dated 19th February, 2022, I direct that in case the petitioner surrenders/appears before the learned special

court in connection with Lake Police Station Case No.35 of 2022 dated 15.02.2022 which is presently pending before the learned Additional Sessions Judge, 2nd Court, Alipore (Special Case No.202 of 2023), he may be allowed to continue on the same bail and bond. However, the petitioner must appear by 15th September, 2023. In case the petitioner do not surrender/appear by 15th September, 2023, learned trial court/special court would be at liberty to exercise his power for harsher process of law. The execution of warrant of arrest so issued be stayed till 15th September, 2023.

With the aforesaid observations, CRR 3051 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.)