

29-08-2023  
Subha  
Item no. 8  
Ct no.34

*IN THE HIGH COURT AT CALCUTTA*  
*Criminal Revisional Jurisdiction*  
**CRR 3192 of 2023**

*Nandadulal Let and ors.*  
**-versus-**  
*State of West Bengal and Anr.*

Mr. Dhananjay Banerjee  
Mr. Samrat Choudhury  
Mr. Debnandan Bhattacharyya  
....for the petitioners.

Mr. Md. Anwar Hossain  
Mrs. Manisha Sharma  
...for the State.

Petitioners are directed to serve a copy of the revisional application upon Mr. Anwar Hossain, learned advocate, who ordinarily appears on behalf of the State. His appointment may be regularized by the concerned Authorities in due course.

Learned advocate for the petitioners submits that the declaration and attachment was illegally issued and, therefore, the same should be set aside.

I have perused the order dated 8th August, 2022 which is as follows :-

*“It appears from the record that on 16.07.2022 prayer for issuance of NBW against the said accused persons, as referred to above, was allowed by me and consequent to that NBW was issued.*

*Subsequently, on 28/07/2022 C.S has been submitted u/ss. 447/34, 322/34,325/34, 354/34, 302/34 of IPC.*

*Record and C.D also further speaks that despite several endeavours the Investigating Agency failed to execute the warrant against the accused above named during the course of investigation.*

*In fine, prayer for publication fo proclamation against the eight accused persons as aforesaid, stands merit and as such allowed.*

*Let written proclamation be published against the above named accused persons on or by 29/08/2022 by the Investigating Agency requiring him to appear before this court on 29/09/2022. The proclamation shall be published in accordance with Section 82(2)(i) of Cr.P.C.”*

Having regard to the reasons so assigned and the manner in which the proclamation was issued particularly in a case under Section 302 of the Indian Penal Code, I am of the opinion that after a long stretch of period there is no scope for interfering with the orders so passed by the learned Additional Chief Judicial Magistrate, Rampurhat, Birbhum.

Consequently, no interference is called for by this court.

Accordingly, the present revisional application being CRR 3192 of 2023 is dismissed.

Pending applications, if any, are hereby disposed of.

All concerned parties are to act in terms of a copy of this order duly downloaded from the official website of this court.

**[Tirthankar Ghosh, J]**

