

Form J(1)

**IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction
Appellate Side**

**Present :
The Hon'ble Justice Bibek Chaudhuri**

CRR 3977 of 2022

**Shib Sankar Mondal
Vs.
The State of West Bengal**

Mr. Dipankar Aditya
Ms. Tina Biswas
..for the petitioner

Item No. 27

Heard & Judgment on: 13.02.2023

Bibek Chaudhuri, J.

The petitioner has approached this Court assailing the order dated 27th April, 2022 passed by the learned Additional Sessions Judge, 4th Court at Barasat issuing warrant of arrest against the petitioner in connection with South Bidhannagar P.S. Case No. 38 of 2010 dated 10th March, 2010 under Sections 3

and 4(B) of Indian Explosive Act and 25/27/35 of the Arms Act corresponding to G.R. Case No. 149 of 2010.

It is submitted by the learned advocate for the petitioner that during restriction of Covid pandemic the petitioner failed to appear before the learned Court below. After lifting of such restriction he also did not appear before the trial Court as he was not advised by his learned advocate. Due to absence the learned trial Judge issued warrant of arrest against him.

It is submitted by the learned advocate for the petitioner that the petitioner will surrender before the learned trial Court on a date fixed by this Court and in the meantime execution of warrant of arrest may be stayed.

In view of such submission made by the learned advocate for the petitioner, the instant revision is disposed of directing the petitioner to appear before the learned trial Judge within a fortnight. If the accused voluntarily surrenders before the trial Court, the learned trial Judge shall consider his application for bail in accordance with law.

The execution of warrant of arrest against the petitioner be kept in abeyance for a period of three weeks hence.

The instant revision is, accordingly, disposed of.

(Bibek Chaudhuri, J.)