

28.11.2023
Item No.346
Ct.No.34
dc.

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURISDICTION**

C.R.R. 4338 of 2023

In the matter of : **Biman Mahato** ... Petitioner.

Mr. Amitabha Karmakar,
Mr. Arup Kumar Bhowmick ... For the Petitioner.

Mr. Mirza Firoj Ahmed Begg ... For the State.

Learned advocate appearing for the petitioner is directed to serve a copy of this revisional application upon Mr. Mirza Firoj Ahmed Begg, learned advocate, who ordinarily appears for the State. His appointment may be regularised by the concerned authorities.

Mr. Karmakar, learned advocate for the petitioner submits that the petitioner was earlier on bail and warrant of arrest has been issued against him on 31.01.2023. As the petitioner was not communicated regarding the date of the proceeding, he could not appear on 28.12.2022 and also on the following date.

Be that as it may, if the petitioner was earlier granted anticipatory bail and subsequently surrendered and obtained regular bail, in that case the learned Chief Judicial Magistrate, Malda will allow the petitioner to continue on the same bail and bond, if the petitioner appears by 18.12.2023. If the petitioner does not appear by 18.12.2023, on 19.12.2023 the learned court would take steps in accordance with Section 82 of the Code of Criminal Procedure.

The learned trial court would take steps so that by 31.12.2023, the case is committed to the court of sessions.

The execution of warrant of arrest is stayed till 19.12.2023.

The petitioner would meet the Officer-in-Charge, Gazole Police Station once in a week till he surrenders before the learned Chief Judicial Magistrate, Malda.

Learned Magistrate would be at liberty to reconsider the condition after the petitioner surrenders before the court.

With the aforesaid observations, the revisional application being CRR 4338 of 2023 is disposed of.

Pending connected application, if any, is consequently disposed of.

All concerned 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 with all requisite formalities.

(Tirthankar Ghosh, J.)