

09.01.2023
SL No 37
Court No.3
BR

**Circuit Bench of Calcutta High Court
At Jalpaiguri**

CRR 8 of 2023

**In the matter of : Bimal Barman
.... Petitioner**

Mr. Subhasish Misra,
Mr. Swarup Das

.... For the petitioner

Mr. Aditi S. Chakraborty, Ld. APP,
Mr. Sourav Ganguly,
Mr. Kallol Nag

.... For the State

Heard learned Counsel for the petitioner Mr. Subhasish Misra.

The petitioner has been named in the F.I.R. Police after investigation submitted charge sheet under Sections 147/148/149/324/325/326/302 of the I.P.C. against the 65 accused persons including the petitioner showing him absconder. Warrant of arrest is pending. The petitioner intends to surrender to the jurisdiction of learned Trial Court.

Mr. Ganguly, learned Counsel representing the State submits that possibility of issuance of WP & A in this particular case cannot be ruled out. However, considering the submission of Mr. Misra, learned Counsel for the petitioner, I am inclined to stay the operation of execution of warrant of arrest. However, I make it clear that it will not deter learned Trial Court in exercising his

jurisdiction in favour or against the petitioner on his surrendering to the jurisdiction of learned Trial Court, while considering the prayer for bail.

Learned Trial Court will be at liberty to exercise his jurisdiction without being influenced by the observation of this Court.

With this observation the criminal revision is disposed of.

(Siddhartha Roy Chowdhury, J.)