

17-08-2023
Court No.3
bm/mg/11.

**In The High Court At Calcutta
Jalpaiguri Circuit Bench**

C.R.R. 17 of 2023

**SANTOSH KUMAR MANDAL
Vs.
The State of West Bengal & Anr.**

Mr. Anirban Banerjee
... for the petitioner

Mr. Aditi Shankar Chakraborty
Mr. Sourav Ganguly
...for the State

The instant application is filed under Section 482 read with Section 401 of the Code of Criminal Procedure for setting aside the Order dated 08.12.2021 passed by learned Chief Judicial Magistrate, Jalpaiguri in connection with GR case no. 5411 of 2021 arising out of Dhupguri police station case no. 417 of 2021 dated 5.10.2021 under Sections 302/201/34 of the Indian Penal Code, 1860.

In terms of the impugned Order dated 08.12.2021 allowed the Order of arrest and Order of proclamation in one breadth without assigning any reason in a mechanical manner.

Accordingly, the Order dated 08.12.2021 is set aside. The petitioner shall surrender before the Chief Judicial Magistrate within seven days from today and shall apply for regular bail.

Accordingly, the instant application stands disposed of along with pending application, if any.

(SUGATO MAJUMDAR, J.)