

14.05.2024  
Item No.40  
Ct.No.34  
dc.

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

**C.R.R. 59 of 2024**

In the matter of : **Shri Indranil Bhattacharya** ... Petitioner.

Mr. Kumar Senthil,  
Mr. Pratip Mukherjee,  
Mr. Sudip Basu,  
Ms. Dibyanjona Das ... For the Petitioner.

Mr. Rudradipta Nandy,  
Mr. Subham Kanti Bhakat ... For the State.

The petitioner has challenged the order dated 20.12.2023 passed by learned Additional Chief Judicial Magistrate, Bidhannagar in Case No. POR/28/WL/23-24 vide G.R. No. 1085 of 2023. The petitioner has prayed for return of seized birds.

State raises objection after producing the case diary, but having regard to the urgency expressed by the learned advocate appearing for the petitioner and expressing his apprehension that the birds may be infected in the atmosphere where they have been retained by the authorities, I direct that in the circumstances for urgent hearing of the issue relating to return of the seized birds, the matter be remanded back.

The petitioner will renew his prayer for return of the sized birds before the learned Additional Chief Judicial Magistrate, Bidhannagar by relying on the earlier application or by filing an additional/fresh application, if any, by 17.05.2024.

The learned Magistrate will preferably pass a direction thereby fixing a hearing on 24.05.2024. The State as well as the affected parties, if any, be heard out.

All efforts be taken so that by 13.06.2024, the learned Magistrate will dispose of the application relating to return of the seized birds.

With the aforesaid observations, the revisional application being CRR 59 of 2024 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.)**