

D/L 56
12.11.2024
Rohit/Aritra
ct.no.35

WPA 759 of 2024

**Israil Sk
Versus
The State of West Bengal & Ors.**

Mr. Anjan Bhattacharya,
Ms. Srijani H. Mondal
...for the petitioner

Mr. Ansar Mondal, Ld. AGP
Mr. Asish Dutta
....for the State

Affidavit of service filed in Court today is kept with the record.

Petitioner is aggrieved by the manner in which Berhampore P.S. Case No.1096/2023 is progressing.

State has submitted a report which reflects that kidnapped victims were recovered and their statements under Section 164 Cr.P.C. was recorded before the Judicial Magistrate. On conclusion of investigation charge-sheet has been submitted before the jurisdictional Court and prayer for warrant of arrest has been advanced before the Court, as the case was registered on November 30, 2023 and the police authorities have arrived at their conclusion.

Report also reflects that the accused persons are evading the process of law.

The learned Magistrate in seisin of Berhampore P.S. Case No.1096/2023 will ensure that a non-execution report is received from the police authorities in respect of the warrant of arrest issued and thereafter proceed for taking steps in accordance with law relating to proclamation and/or attachment.

If the petitioner is aggrieved regarding the merits of the investigation petitioner would take out an appropriate application for further investigation before the jurisdictional Court.

Report submitted be kept with the record. A copy of the report be handed over to the learned advocate appearing on behalf of the petitioner.

With the aforesaid observations, the writ petition being WPA 759 of 2024 is disposed of.

There shall be no order as to costs.

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.)