

19.02.2024
item No.77
Rakib (PA)
ct. no. 34

CRR 508 of 2024

**Abdul Sabur Mondal.
Vs
The State of West Bengal.**

In Re: An Application under Article 227 of the Constitution of India;

Mr. Debanshu Ghorai,
Mr. Anisur Rahaman.

.... For the Petitioner.

Mr. Debasish Roy, Ld. P.P.,
Mr. Arijit Ganguly,
Mrs. Sonali Bhar.

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.... For the State.

Petitioner is aggrieved by the fact that the petitioner was arrested on 25th May, 2022 and since then he is languishing in custody.

Learned Advocate appearing for the petitioner submits that although charge-sheet has been submitted before the jurisdictional Court but till date there has been no progress in the case.

Mr. Arijit Ganguly, learned Advocate appearing for the State submits that three accused persons were implicated and the petitioner is one of them. It has been submitted on behalf of the State that two of the accused persons are still absconding and warrant of arrest has been issued against them, subsequently steps are being taken for issuance of proclamation and other harsher process of law.

Having considered the submissions advanced on behalf of the State, I am of the opinion that the State should take steps for

exhausting the processes involved for proclamation and attachment. If in spite of efforts and completion of the process of proclamation and attachment the absconding accused persons are not traceable in that case I direct the learned trial Court to split up the trial.

Whole of the process of exhausting the steps relating to proclamation and/or attachment be concluded within a period of three months. Learned Trial Court after splitting up of the trial would consider regarding the stage of consideration of charges at the earliest preferably by 15th June, 2024. Thereafter the learned Court would fix schedule of dates if it is of the opinion that the charges are made out and the case needs to proceed at the stage of trial.

With the aforesaid observations CRR 508 of 2024 is disposed of.

Pending application, if any, is consequently disposed of.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Tirthankar Ghosh, J.)