

21-05-2024
Subha
Item no.02
Ct no.34

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction

CRR 1142 of 2024

**Raju Alom
-versus-
State of West Bengal**

Mr. Khalid Hasan

....for the petitioner.

Mr. Debasish Roy, Id PP
Mr. Arijit Ganguly
Ms. Sreemoyi Dutta

...for the State.

Petitioner was granted the interim bail when he was arrested and produced before the learned Executive Magistrate at Coochbehar. The present case being Special NDPS Case No. 72 of 2022 is pending before the learned Judge, Special Court(NDPS Act), Raiganj, Uttar Dinajpur arising out of Islampur P. S. Case No. 676 of 2022 dated 29-09-2022.

In a case under Section 20(b)(ii)(C) of the NDPS Act, the Executive Magistrate exercised his powers under Section 167 of the Code of Criminal Procedure in a manner as if Section 37 of the NDPS Act was not available.

Petitioner was granted interim bail to appear before the jurisdictional court. Thereafter, the petitioner did not appear before the jurisdictional court being the learned Judge, Special Court (NDPS Act), Raiganj, Uttar Dinajpur. Consequently, harsher process was issued and the case was filed in so far as the present petitioner is concerned.

Having considered the report so submitted and there was non-compliance of the order dated 19th January, 2024 and the petitioner did not appear before the jurisdictional court, I am of the opinion that the consequent harsher process of law so

issued do not call for any interference.

Accordingly, the revisional application being CRR 1142 of 2024 is dismissed.

Connected applications, if any, are consequently disposed of.

Report so submitted by the learned advocate for the State be kept with the record.

All concerned parties are to act in terms of a copy of this order duly downloaded from the official website of this court.

[Tirthankar Ghosh, J]