

Sl.No.
84-85 29.4.2024
Court
No. 34
G.S.Das

WPA 9954 of 2024

**Smriti Rani Pal Das & Anr.
-Vs-
State of West Bengal & Ors.**

With

CRR 1340 of 2024

**Deb Kamal Das & Ors.
-vs
State of West Bengal & Ors.**

Mr. Rajdeep mazumder
Mr. Moyukh Mukherjee
Ms. Aishwarya Bazaz
Ms. Sagnika Banerjee
... for the petitioners

Mr. Debasish Roy
Mr. Arijit Ganguly
Ms. Sreemoyi Roy
... for the State in CRR 1340 of 2024

Let the writ petition and the
criminal revision be de-tagged.

In Re: WPA 9954 of 2024

Notice be served upon the
respective parties informing that the writ
petition would appear on 10th of May, 2024
under the heading 'Assigned Matters'.

Affidavit of service be filed on the
next date so fixed.

In Re: CRR 1340 of 2024

Mr. Majumder, Id. Advocate for the petitioners, has challenged the proclamation and attachment, which has been issued by the Id. CJM, Purba Medinipur in connection with Tamluk P.S. Cae No. 146 of 2024.

I find that the petitioner no.3 filed Anticipatory Bail on 14th of March, 2024 before the Id. Sessions Court and the petitioner no.2 filed Anticipatory Bail before the Sessions Court on 16th of March, 2024.

Having considered that the anticipatory bail application was preferred before the Id. Id. Sessions Judge on 14th of March, 2024 and 16th of March, 2024, which came up for hearing subsequently and the proclamation and the order relating to warrant of proclamation was issued by the Id. CJM, Purba Medinipur on 16th of March, 2024 and the same resulted in anticipatory bail, becoming automatically infructuous.

Considering the aforesaid, I am of

the view that since the anticipatory bail touches the liberty of a person, the petitioners are entitled to have a hearing in respect of the anticipatory bail application and the same should not be deterred on the ground which are beyond their control.

Accordingly, the warrant of proclamation so issued on 16.3.2024 is stayed till 31st of May, 2024. The petitioner should exhaust their remedies within the aforesaid period. However, this will not deter the investigating authority to execute the warrant of arrest which has been issued in connection with the instant case.

However, if the petitioners are unable to appear before the Id. CJM, Purba Medinipur in connection with Tamluk P.S. Case No. 146 of 2024 on and before 1st June, 2024, the Id. CJM, Purba Medinipur will revive the order of proclamation so issued.

With the aforesaid observations, CRR 1340 of 2024 is disposed of.

Pending application, if any, is also

disposed of.

Parties to act on a server copy of this order duly collected from the official website of the Hon'ble High Court, Calcutta.

Urgent Photostat certified copy of this order, if applied for, be supplied to the parties, subject to compliance with all requisite formalities.

(Tirthankar Ghosh, J.)