

May 9, 2024  
Sl. No. 62  
Court No.34  
s.biswas

**CRR 1567 of 2024**  
**With**  
**CRAN 1 of 2024**

In re: An application under Section 401 read with 482 of the  
Criminal Procedure Code, 1973

*Biltan Biswas*  
Vs.  
*Dhiresb Kanjilal and another*

Mr. Jayanta Kumar Pain

... for the petitioner

Mr. Debasis Roy, PP

Mr. Arijit Ganguly

Ms. Sreemoyi Roy

... for the State

It has been submitted on behalf of the petitioner that the petitioner was on bail, but subsequently could not appear and as such warrant of arrest was issued. By the passage of time, proclamation and attachment were also issued.

The report submitted on behalf of the State be kept with the report. The State submits that in spite of sincere efforts, the petitioner could not be arrested and his appearance secured before the learned trial court in connection with Bagdah Police Station Case No.63 of 2012.

As the proclamation and attachment have not been executed, the same is stayed till 25<sup>th</sup> May, 2024. The warrant of arrest which is pending, would be recalled by the learned Magistrate in case the petitioner appears within 25<sup>th</sup> May, 2024. However, a fresh bond be furnished by the petitioner by way of a local surety on the date he appears and prays for bail before the learned Additional Chief Judicial Magistrate, Bongaon. However, if the learned Magistrate finds that on or before 25<sup>th</sup> May, 2024, the petitioner has not

appeared, then in that case on the next working date it would be the duty of the learned court to ensure regarding the proclamation order being effected and thereafter the attachment be carried out in respect of the properties of the petitioner.

With the aforesaid observation, the revisional application being CRR 1567 of 2024 and the connected application being CRAN 1 of 2024 are disposed of.

All parties are to act on the basis of the server copy of the order.

**(Tirthankar Ghosh, J.)**