

D/L128
25.04.2024
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C.R.R.1609 of 2024

In Re: An application under Sections 401 and 482 of the Code of Criminal Procedure;

Chandan Biswas
Versus
The State of West Bengal and another

Mr. Soubhik Mitter
Mr. Subhabrata Das
Mr. Suchindram Bhattacharya.
...for the petitioner.

Mr. Arijit Ganguly
Ms. Baishakhi Chatterjee.
...for the State.

Mr. Ayan Bhattacharjee
Mr. Ayan Basu
Mr. Shounak Mondal
Mr. Suman Majumder.
...for the opposite party no.2.

The petitioner before this Court is Chandan Biswas.

From the order dated 10.04.2024 passed by the learned ACJM, Bongaon, I find that the learned Magistrate twice called for the petitioners for hearing in respect of G.R. Case No.1979 of 2023 arising out of Gaighata Police Station Case No.627 of 2023 dated 17.04.2023. It has been observed in the order dated 10.04.2024 that the accused persons including the present petitioner were not present when the case was called by the learned ACJM, Bongaon and, as such, the learned court was pleased to issue warrant of arrest fixing execution return on 30th April, 2024. The initial part of the order dated 10.04.2024 reflects that the learned Magistrate had the occasion to go through the order passed by the High Court in

CRM (SB) 16 of 2024.

Having considered the fact that an application was filed at 4.34 p.m. although the contents of the same do not reflect a happy picture but since the issue relating to liberty of the petitioner is concerned, I grant an opportunity to the present petitioner.

Petitioner is directed to appear on 29th April, 2024 before the learned ACJM, Bongaon. On such appearance, learned Magistrate would recall the warrant of arrest but would consider his application for bail in true spirit of the order passed in CRM (SB) 16 of 2024 2 which was to be heard on 10th April, 2024. If the parties intend to file any application, copy of the same must be served to the learned APP. State is directed to produce the case diary on 29th April, 2024.

With the aforesaid observations, CRR 1609 of 2024 is disposed of.

All 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 of all requisite formalities.

(Tirthankar Ghosh, J.)