

27.06.2024
rc/ct.no.34
Item No.156

CRR No. 1939 of 2024

In the matter of : Kamal Mandal & Ors.

.....Petitioner

Mr. Arnab Chatterjee
Mr. D. Biswas
Ms. Poulami Bose

...for the Petitioner

Mr. Anand Keshari
Mr. Kaustav Banerjee

...for the State

Petitioners who are in custody for about two and a half years seek expeditious disposal of Case No. NDPS -06 of 2022 pending before the learned Judge, Special Court under NDPS Act, 4th Court, Paschim Medinipur.

It appears from the documents on record that upon conclusion of evidence, date has been fixed for examination of the petitioners and another accused under Section 313 of the Code of Criminal Procedure. In the meantime accused Ajit Pata Maji failed to appear before the Court and warrant of arrest was issued against him. The warrant of arrest is yet to be executed and the petitioners are languishing in jail for the said reason.

The trial is on the verge of completion and date was fixed for examination of the accused persons under Section 313 of the Code. The trial has come to a halt due to abscondance of the accused who is on bail.

In view of the above, this Court is inclined to hold that the petitioners who are in custody for about two and a half years

should not be made to suffer due to abscondance of the accused on bail.

The learned trial court is directed to exhaust the procedure for arrest, proclamation, attachment etc. in respect of the accused Ajit Pata Maji within two months from the next date fixed before him. Thereafter, the learned Court shall proceed with the examination of the accused persons under Section 313 of the Code and take the trial to its logical conclusion within six months thereafter.

CRR No. 1939 of 2024 is disposed of accordingly.

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

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

(Suvra Ghosh,J)