

D/L36
07.03.2024
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C.R.R.2558 of 2023

In Re: A petition under Section 482 read with section 401 of the Code of Criminal Procedure, 1973;

The State of West Bengal
Versus
Samiran Patra

Mr. Rudradipta Nandy
Mr. Anand Keshari.
...for the Petitioner/State.

Mr. Kollol Mondal
Mr. Pawan Kumar Gupta
Mr. Kishan Roy
Ms. Salman S. Sultana
Ms. Sofia Nesar
Mr. Santanu Sett.
...for the opposite party.

In view of the judgment of the Hon'ble Supreme Court in Suresh Kumar Vs. Union of India reported in 2014 SCC OnLine SC 1833 and the issue raised on behalf of the accused opposite party, namely, Samiran Patra, I direct that as one of the Sub-Inspector of Police, namely, Pritam Tamang happens to be seizing officer of the case being S.T. No.03(05) of 2023 arising out of Burabazar Police Station Case No.130 dated 07th June, 2022 under Sections 419/467/468/471/120B/365/395/412/34 of the Indian Penal Code, the learned trial court would direct the service providers to provide the tower location and the time at the relevant date when the seizure took place. To that effect, the concerned officer being Pritam Tamang will provide his phone numbers. The learned trial court will direct if any apprehension is expressed regarding the

numbers to any agency to find out and the phone numbers of this particular Sub-Inspector of Police. It is reiterated that only redacted copies of the CDR to be given which would be restricted to the tower location and timing of the police officer concerned. So far as the other informations are concerned which are available in the CDR, the same would be smeared with ink in such a manner that the information appearing therein should not be visible to the accused or any persons.

Both the parties are granted liberty to bring this order to the notice of the learned trial court. Learned trial court will accordingly pass directions upon the respective service providers concerned. The investigating officer would furnish the phone numbers to the learned trial court. So far as the individual witnesses are concerned, the prayer of the opposite party/applicant before the learned trial court is refused.

With the aforesaid observations, CRR 2558 of 2023 is disposed of.

Pending connected application, if any, is consequently 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.)

