

01.02.2024

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CRR 4872 of 2023

In the matter of: **Wali Khan & Others.**

....Petitioners.

Mr. Satadru Lahiri,
Mr. Safdar Azam

..for the Petitioners.

Mr. Anowar Hossain,
Ms. Jonaki Saha

..for the State.

Report submitted by Mr. Anowar Hossain, learned advocate for the State be kept with the record.

The GD Entries in respect of the proclamation which were executed do not reflect that the notice was placed at a conspicuous place and were signed by two witnesses.

Accordingly, the execution of proclamation was not in accordance with law. As such, the order relating to proclamation and attachment is kept in abeyance till 29th February, 2024.

The petitioners would exhaust their remedy in the meantime.

The learned trial court will freshly issue proclamation if at all required on 1st March, 2024 and proceed by adhering to the provisions of Sections 82 and 83 of the Code of Criminal Procedure.

So far as the warrant of arrest which was issued by the learned Magistrate, the same will remain in force and there is no bar for the police authorities to execute the same.

With the aforesaid observations, CRR 4872 of 2023 is disposed of.

Pending connected applications if any are consequently disposed of.

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

(TIRTHANKAR GHOSH, J.)