

27.11.2024
Ct. No. 01
SL No.148
Cp

CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI

CRM (A) No. 558 of 2024
With
CRAN No. 3 of 2024

In Re: - An application for appropriate order in CRM (A) No. 558 of 2024.

And

In the matter of: Md. Abiul @ Md. Abiul Islam @ Abiul Mahammad & Ors.

....petitioners.

Mr. Bikash Singha

... for the petitioners.

Mr. Kallol Acharjee

Mr. Chattu Roy

...for the State

1. CRAN 3 of 2024 is an application for extension of time to enable the petitioners to surrender before the court.
2. Learned advocate for the petitioners submits that when the benefit under Section 438 of the Cr.P.C. was extended to the petitioner a condition was imposed that in the event of arrest the petitioners shall be released on bail upon furnishing a bond of Rs.15,000/- each with two sureties of like amount, one of whom must be local. However, despite efforts the petitioners could not find a local surety. They again approached this court with an application for modification, which was allowed and the condition was modified to the extent that in the event of arrest the petitioners shall be released on bail upon furnishing a bond of Rs.15,000/- each with two registered surety of like amount each, but extension of time was not granted. It is submitted that in the

order dated August 19, 2024, the petitioners were directed to surrender before the learned court within 15 days from that date. The period has elapsed. The learned court did not allow the petitioners to surrender before the court and as such, they have come before this court with this application.

3. Learned Public Prosecutor did not seriously oppose such prayer.
4. Heard the learned advocates for the respective parties. Perused the materials on record placed before us. Having regard to the submissions made on behalf of the respective parties, we are inclined to allow this application.
5. The petitioners shall be at liberty to surrender before the court of learned ACJM, Mekhliganj, within two weeks from date and furnish bond of Rs.15000/- each, with two sureties of equal amount.
6. The application is, thus, allowed and disposed of.

(Partha Sarathi Chatterjee, J.)

(Shampa Sarkar, J.)