

26.11.2025
Item No.20
Ct. No. 34
nb

CRR 5082 of 2025

In the matter of: **Sekh Arif Ali.**

..... petitioner.

Mr. Soumya Basu Roy Chowdhuri,
....For the Petitioner

1. This application under Section 482 read with Section 401 of the Code of Criminal Procedure, corresponding to Section 528 read with Section 442 of the BNSS, 2023 has been filed against the order passed by the Learned Court , Additional Sessions Judge, Amta, Howrah on May 15, 2024 in connection with Udaynarayanpur P.S. Case No.51/2020 under Section 376/417/323/506/34 of the IPC whereby warrant of arrest has been issued against the petitioner.
2. It is submitted on behalf of the petitioner that pursuant to an order of anticipatory bail, he was appearing before the learned Court regularly and on a single day he could not appear, the warrant of arrest has been issued against him. It is submitted that he will surrendered before the Court and will be present before the Court regularly and will attend the Trial without any violation.
3. Heard the submission, perused the record and the order sheet as annexed along with this application, which manifest that on May 15, 2024 the learned Court recorded the conduct of the accused, who was absent on that day as usual.
4. Accordingly, the warrant of arrest was issued. After that number of dates were passed. However, he did not turn up.

The petitioner has not annexed order passed prior to May 15, 2024 and therefore, it is undisputed that the conduct of the present petitioner is not appreciable at all since he fail to appear before this learned Court.

5. However, considering the fact on account of his non-appearance before the learned Court below, the matter is getting delayed, a further opportunity be given to him to appear before the Court subject to condition that he will surrender and to appear before the Court within 48 hours before the said Court in default the learned Court will proceed with the matter.
6. It is further make clear that in case of non-compliance with this direction of this Court, the learned Magistrate will be at liberty to proceed further and to take steps in accordance with law.
7. All parties shall act on the server copies of this order duly downloaded from the official website of this Court.

(CHAITALI CHATTERJEE (DAS), J.)