

21.10.2020
Item no. 17
Ct. No.13
CHC

**C.R.R. No.1431 of 2020
(Via Video Conference)**

In Re:- An application under Section 401 read with Section 482 of the Code of Criminal Procedure, 1973.

And

In the matter of:-

Bablu Sk

... Petitioner

Mr. Sandip Chakraborty

... for the petitioner

Mr. S. G. Mukherjee, Ld. P.P.

Mr. Arijit Ganguly

...for the State

The impugned order dated 08.04.2014 passed by learned Additional Sessions Judge, Jangipur, Murshidabad in Sessions Case No.139 of 2012 issuing warrant of arrest against the petitioner is the subject of challenge in this case.

It is submitted by learned advocate, Mr. Chakraborty for the petitioner that previously the petitioner was on bail, and due to misconception of date he could not ensure his appearance before the Court resulting in issuance of warrant of arrest against the petitioner.

Mr. Mukherjee, learned P.P. representing the State submits that the accused/petitioner has misused the privilege of bail and the same should not be likely viewed.

Having considered the submission of the respective parties and bearing in mind the materials already in the case record

together with the fact that previously this accused was on bail, the impugned order dated 08.04.2014 issuing warrant of arrest against the petitioner be stayed for a period of five weeks subject to the condition that the petitioner shall surrender before the learned Additional Sessions Judge, 2nd Court Jangipur, Murshidabad and shall file bail petition before the learned court below upon surrendering within such stipulated period of time. It is made clear that if any bail petition is filed by the petitioner upon surrendering within such stipulated period, the same shall be disposed of in accordance with the provisions of the law providing sufficient opportunity of hearing to the either of the parties to this case.

With this direction and observation, the revisional application stands disposed of.

All parties shall act in terms of copy of this order downloaded from the official website of this Court.

Urgent xerox certified copy of this order if applied for be given to the parties subject to compliance with all requisite formalities.

(Subhasis Dasgupta, J.)

