

Criminal Appeal No.67 of 2025
Filing No.383/2025
CNR: WBCS01 – 000383–2025

Order No.07 dated 08.05.2026:-

Today is fixed for hearing the appeal in presence of all sides before this Court.

The appellant is present by filing hazira.

The appellant also files a petition for extension of the stay of the impugned order of conviction dated 20.11.2024 passed by the Ld. Judicial Magistrate, 7th Court, Calcutta.

Hazira is also filed by the respondent No.1 represented by his authorized representative namely, Rohit Banka, who is physically present before this Court along with his AADHAAR Card.

Respondent No.1 also files a petition praying for permission to withdraw the money i.e. Rs.40,230/-, which is 20% of the fine amount of Rs.2,01,140/- deposited by the appellant vide order dated 01.08.2025 passed by the Ld. Chief Judge, City Sessions Court, Calcutta, by him on behalf of respondent No.1, Raj Kumar Banka, along with authorization certificate given by Raj Kumar Banka to his son Rohit Banka, on the grounds that the respondent No.1 is an old aged bed ridden person and not in a position to appear before this Court.

Heard the Ld. Advocates for the appellant as well as the respondent No.1.

Ld. Advocate for the respondent No.1 submitted that Rohit Banka s/o Raj Kumar Banka conducted the case in the Ld. Trial Court on the strength of Power of Attorney given by the respondent No.1 Raj Kumar Banka.

Perused the petition and the materials on record.

It appears that there is a General Power of Attorney in the Trial Court Record on behalf of Rohit Banka given by his father, respondent No.1 Raj Kumar Banka for conducting the case.

It also appears that no medical document is filed on behalf of the respondent No.1 Raj Kumar Banka supporting his physical inability to come before the Court and withdraw the money as submitted by the Ld. Advocate for the respondent No.1.

In my considered opinion, medical documents regarding the physical inability of the respondent No.1 should be filed for proper adjudication of the matter.

Accordingly, the respondent No.1 is directed to file a medical document for his inability to appear before this Court within 15 days from today.

Fix **20.05.2026** for filing medical document by the respondent No.1.

The prayer for extension of the impugned order is allowed and the same is extended till the next date.

To date for appearance of all sides before this Court.

Dictated & corrected by me.

Judge, Bench-II
City Session Court, Calcutta.
JO Code:WB00618

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