

Criminal Appeal no. 181 of 2025

CNR-WBCS01-001083-2025

Present: Sri Sukumar Ray**J.O. CODE NO.WB00590****Chief Judge,****City Sessions Court, Calcutta****Order no. 02 dated 02.02.2026**

1. Today is fixed for hearing on the point of admission.
2. Hazira has been filed on behalf of the appellant.
3. Ld. Advocate for the appellant is present.
4. Now, the record is taken up for hearing.
5. Heard the Ld. Advocate for the appellant.
6. I have carefully perused the case record.
7. It appears that the appellant has filed the instant memo of appeal challenging the judgment and order dated 29.11.2025 passed by the Ld. Judicial Magistrate, 17th Court, Calcutta in connection with GR case being no. 503 of 2025.
8. It appears that the memo of appeal is filed within the statutory period of limitation. So, there is no legal bar or impediment to admit the instant appeal.
9. Accordingly, the instant appeal is **admitted**.
10. This court has heard the Learned Counsel for the appellant who urged with vehemence for suspension of sentence and for enlargement of the convict/appellant on bail pending the disposal of the appeal preferred against his conviction under the Arms Act wherein he has been sentenced to undergo simple imprisonment for a period of two years.
11. Heard. Considered.
12. On careful perusal of the impugned judgment and order, it appears to me that the appellant has an arguable case and if the operation of the impugned judgment and order is not stayed, the appellant will be highly prejudiced.
13. The prayer for staying the operation of the impugned judgment and order is allowed for ends of justice.
14. The operation of the judgment and order dated 29.11.2025 passed by the Ld. Judicial Magistrate, 17th Court, Calcutta in connection with GR case being no. 503 of 2025 is **stayed** till next date, i.e., 05.03.2026.
15. The appellant/convict has filed an application praying for bail of the appellant/convict.
16. It appears that the impugned order and judgment is under challenge by which the Ld. Trial Court has sentenced the accused person to suffer simple imprisonment for two years and also to pay fine of Rs. 10,000/- and this Court has already admitted and stayed the impugned judgment and order.
17. Considering these aspects, this court, upon deliberate consideration, is inclined to allow the bail prayer of the appellant.
18. Accordingly, the prayer for bail of the appellant/convict, namely, Rajesh Thakur @ Khatai Thakur, is **allowed**.

19. The appellant/convict, namely, Rajesh Thakur @ Khatai Thakur, may find bail of **Rs. 5,000/-** with two sureties of **Rs. 2,500/-** each to the satisfaction of the learned Chief Judicial Magistrate, Calcutta i.d. J/C.
20. This order shall remain in force till 05.03.2026.
21. Call for TCR.
22. Issue notice upon the respondent/State in usual manner.
23. Put requisites at once.
24. Fix **05.03.2026** for S/R, A/D and appearance.
25. Let a copy of this order be sent to the Chief Judicial Magistrate, Calcutta for information and necessary compliance.
26. Let a copy of this order be sent to Ld. Trial Court for information.

Dictated & corrected by me,

Chief Judge
City Sessions Court, Calcutta.

Chief Judge
City Sessions Court, Calcutta.