

ST 03 (09) 2016

Reg. 113/16

Order no. 40

06.10.2023

Today is fixed for appearance and evidence. Sole accused on CB is absent without steps. Perused the record. It transpires the fact that surety had been asked to cause production of the accused before this Court on this day and said order was duly communicated to the surety namely Ajay Kumar Singh.

No prosecution witness is present today.

Surety Ajay Kumar Singh files a petition praying for passing necessary order. The said surety is also found present in Court who subsequently submitted that he had taken all necessary majors for bringing the accused before the Court but without any fruitful result.

It was further contended that he has not left any stone unturned to trace out the accused as per the direction of the Court and as such he should not be penalised by drawing up the proceeding u/s 446 of Cr.PC.

The surety has shown that he has taken initiative for causing production of the accused and no laches is apparent on the part of the surety for which he should be penalized. Accordingly, no proceeding will be drawn up against the surety u/s 446 Cr.PC as he has shown sufficient ground for getting favourable order.

However, there is no legal impediment in issuing the warrant of arrest against the accused Panchu Halder as he remained absent without steps and moreover none appears on behalf of the accused on repeated calls. It is now 3:30 pm. Hence issue Warrant of Arrest against the accused Panchu Halder.

Fix 18.03.2024 for ER of WA.

D/C

Bikash Lama
J.O. Code WB00935
ADJ, F.T.C-I
Sealdah, 24PGS (S).