

**CRA 707 of 2005**  
**With**  
**IA No: CRAN 2 of 2006 (Old No: CRAN 864 of 2006)**  
**With**  
**IA No: CRAN 3 of 2007 (Old No: CRAN 1329 of 2007)**

In the matter of: **Manoj Kumar Singh**

**....Appellant**

Mr. Bratin Kumar Dey,  
Ms. Anjana Banerjee,  
Mr. Subhankar Banerjee,

....For the Appellant

Mr. Binay Panda,  
Mr. Subham Bhakat

....For the State

1. Learned Advocate appointed by the Calcutta Legal Services Committee is present on behalf of the appellant. An accommodation is prayed for on behalf of the appellant.
2. State is represented.
3. In pursuance of the direction passed by this Court a report is submitted by the department along with the report sent by the learned Chief Judicial Magistrate, Howrah. It transpires from those reports that warrant of proclamation and attachment was issued against this appellant and Jagacha Police Station was directed to execute the same but till date it could not be executed as the appellant/convict was not found at the address mentioned in the petition. The said report further indicates that the concerned police station is still in process to trace out the appellant in order to execute the order passed by this Court.

4. Learned Chief Judicial Magistrate, Howrah is hereby directed to submit a report in respect of execution of warrant of proclamation and attachment against the appellant on the date fixed.
5. Department is directed to communicate this order to the learned Chief Judicial Magistrate, Howrah immediately.
6. The instant appeal is preferred at the behest of the appellant challenging the impugned judgment and order of conviction passed by the learned Trial Court in which this appellant was convicted under Sections 376/511 of the Indian Penal Code and was sentenced accordingly.
7. Learned Advocate for the State is directed to notify the victim/*de facto* complainant in this case about the pendency of this appeal before this Court and submit a report on the date fixed.
8. Let the matter appear in the list three weeks after reopening of this Court following "Puja Vacation".

**(Prasenjit Biswas, J.)**