

19.10.2023

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Allowed

CRA 665 of 2009

With

CRAN 2 of 2023

In Re : An application under Section 389 of the Code of Criminal Procedure.

And

In Re : Prasanta Ghosh.

.... Appellant No.3

Mr. Pradip Kumar Chatterjee
Mr. Kuntal Roy

.... for the appellant No. 3.

Mr. Joydeep Roy
Ms. Sujata Das

..... for the State

On earlier occasion, the advocate-on-record had submitted to de-list himself from the record expressing his unwillingness to pursue the hearing of the instant appeal. The Department was given direction to de-list his name as the advocate-on-record.

Mr. Pradip Chatterjee, learned advocate being assisted by Mr. Kuntal Ghosh learned advocate appearing on behalf of the appellant No.3 seek for an order of granting bail in his favour and undertakes to file vakalatnama on 26th October, 2023. It appears that the appellant no.3 was not properly represented before the Court due to mis-communication between the appellant No.3 and the advocate-on-record. Therefore, I am inclined to enlarge him on bail.

Accordingly, the appellant No. 3 i.e. **Prasanta Ghosh** shall be released on bail upon furnishing a bond of Rs. 2000/ with two sureties of like amount each to the satisfaction of the learned CJM Barasat, North 24-Parganas on condition that the appellant No.3 must be present before the Court on each and

every date of hearing of the appeal failing which the order of bail granted in his favour shall be cancelled.

Accordingly, the application being CRAN 2 of 2023 is disposed of.

Let the matter be fixed on 21st December, 2023.

Parties to act on a server copy of this order duly downloaded from the official website of this Court.

(Ananya Bandyopadhyay, J.)