

17.10.2023

Sl. No.: 8

Court No.3
BM

**CALCUTTA HIGH COURT
In the Circuit Bench at Jalpaiguri
Appellate Side**

**In re : An application for admission of appeal under Section
374(2) of the Code of the Criminal Procedure, 1973.**

CRA(SB) No.25 of 2023

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IA No.: CRAN 1 of 2023

Sirajul Miah @ Serajul Miah

vs.

The State of West Bengal & Anr.

Mr. Surajit Basu

... for the appellant

Mr. Aditi Shankar Chakraborty

Mr. TapanBhattacharjee

... for the State

Affidavit of service showing due service is filed.

Learned counsel for the State is present.

IA No.: CRAN 1 of 2023 has also been filed along with this appeal which is moved by the learned counsel for the appellant praying for condonation of delay in filing the instant appeal. Heard learned counsel for the appellant. For the interest of justice the application filed under Section 5 of the Limitation Act, 1963 is allowed. Delay in filing the appeal is hereby condoned.

IA No.: CRAN 1 of 2023 stands disposed of.

The appeal is admitted.

Issue usual notices.

Realization of fine be stayed.

Liberty to pray for bail upon notice to the State through the learned Public Prosecutor.

Let the Lower Court records be called for forthwith.

Paper book be prepared within twelve weeks from the date of receipt of the Lower Court records.

Urgent Photostat certified copy of this order, if applied for, shall be supplied to the learned counsel for the parties as expeditiously as possible, in compliance of usual formalities.

(Shampa Dutt (Paul), J.)