

**CALCUTTA HIGH COURT CIRCUIT BENCH
AT JALPAIGURI**

**10.2.2023
Sh-5&6
Court No.3**

**C. R. A.(SB) 13 OF 2022
With
CRAN 1 of 2022**

**In the matter of: Rabbu Mian @ Rabbu Mia and another
Appellants..**

Mr. Sabir Ahmed,
Mr. Hillol Saha Podder,
Ms. Mousumi Das

For the appellants.

With

**C. R. A.(SB) 14 OF 2022
With
CRAN 1 of 2022**

**In the matter of: Jahangir Hossain @ Jahangir Hossen
Appellant..**

Mr. Sabir Ahmed,
Mr. Hillol Saha Podder,
Ms. Mousumi Das

For the appellant.

The appellants have preferred these appeals to challenge the judgment and order of conviction by the Trial Court dated May 17, 2022.

It is submitted on behalf of the appellants that during the period of trial the appellants have been on bail and have never misused any condition of bail granted to them. It is also submitted that since after passing of the sentence by the trial Court the appellants are in custody.

Since the appeals have already been admitted by the court on the basis of the submissions made above which is not controverted, the prayers of the appellants are allowed.

It is directed that the sentence granted by the trial court be suspended till the date of final order in this regard.

The appellants may find bail upon furnishing bonds of Rs.10,000/- each with two registered sureties subject to satisfaction of the Chief Judicial Magistrate, Cooch Behar.

Both the applications, being CRAN 1 of 2022, in respect of both the appeals, are allowed.

Department is directed to take expeditious steps for preparation of the paper book to make the appeals ready for hearing.

(Rai Chattopadhyay, J.)