

@

ITEM NO.60

COURT NO.7

SECTION IIB

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS
CRIMINAL APPEAL NO(s). 809 OF 2009

BAIDYANATH ROY & ORS.

Appellant (s)

VERSUS

STATE OF WEST BENGAL

Respondent(s)

(With appln(s) for bail)

Date: 07/12/2012 This Appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE H.L. DATTU

HON'BLE MR. JUSTICE CHANDRAMAULI KR. PRASAD

For Appellant(s)

Mr. Rajesh Srivastava, Adv.
Mr. Asid Kumar Rari, Adv.
Mr. Ujjwal Banerjee, Adv.
Mr. Raghavendra Pratap, Adv.
Mr. Raghavan, Adv.
Ms. Susmita Lal, Adv.

For Respondent(s)

Mr. Avijit Bhattacharjee, Adv.
Mr. Bikas Kargupta, Adv.
Mrs. Debjani D. Purkayastha, Adv.
Mrs. Sarbani Kar, Adv.
Mr. Pravir Choudhary, Adv.

UPON hearing counsel the Court made the following
O R D E R

Criminal Appeal is dismissed in terms of the signed order.

(NAVEEN KUMAR)
COURT MASTER

(VINOD KULVI)
COURT MASTER

(Signed order is placed on the file)

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. 809 OF 2009

BAIDYANATH ROY & ORS.

Appellant(s)

VERSUS

STATE OF WEST BENGAL

Respondent(s)

O R D E R

1. This appeal is directed against the judgment and order

passed by the High Court of Calcutta in C.R.A. No. 296 of 1987, dated 18.08.2008. By the impugned judgment and order, the High Court has dismissed the appeal of the appellants.

2. We are informed by the learned counsel for the Appellants that Appellant No.2 (Mr. Upen @ Dhapu Roy), aged about 85 years has expired. Therefore, this appeal stands abated insofar as Appellant No.2 is concerned.

3. We have heard the learned counsel for the parties to the lis.

4. We have considered the case on merits and also carefully perused the judgment and orders passed by the High Court as well as the Trial Court. We are of the opinion that the courts below have committed no error. Accordingly, while dismissing the instant appeal, we confirm the judgment and order passed by the High Court and the Trial Court.

5. Ordered accordingly.

.....J.
(H.L. DATTU)

.....J.
(CHANDRAMAULI KR. PRASAD)

NEW DELHI
DECEMBER 07, 2012