

SUPREME COURT OF INDIA  
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Crl) No(s).9082/2008

(From the judgement and order dated 19/11/2008 in CRM No. 11337/2008 of  
The HIGH COURT OF CALCUTTA)

NIMAI CHANDRA MONDAL

Petitioner(s)

VERSUS

STATE OF WEST BENGAL

Respondent(s)

(With appln(s) for ex-Parte stay)

Date: 18/12/2008 This Petition was called on for mentioning today.

CORAM :

HON'BLE Dr. JUSTICE ARIJIT PASAYAT  
HON'BLE DR. JUSTICE MUKUNDAKAM SHARMA  
HON'BLE MR.JUSTICE H.L. DATTUFor Petitioner(s) Ms. Suman Saha,Adv.  
Mr. Yadunandan Bansal,Adv.  
Mr. Rauf Rahim,Adv.

For Respondent(s)

UPON being mentioned by counsel the Court made the following  
ORDER

Heard.

We are not inclined to accept the prayer for protection in terms of Section 438 Cr.P.C. The special leave petition is, accordingly dismissed. However, if the petitioner surrenders before the concerned court and moves for bail, the Court would do well to dispose of the application on the day it is presented. Needless to say that before the application for bail is moved, the prosecuting agency shall be given intimation as to the date on which the bail application is proposed to be moved. Our rejecting prayer to extend the benefit in terms of Section 438 Cr.P.C. shall not be construed as if we have expressed any opinion on the merits of the case.

[SUMAN WADHWA]  
COURT MASTER[SHASHI BALA VIJ]  
COURT MASTER