

Form J(1)

**IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction
Appellate Side**

**Present :
The Hon'ble Justice Bibek Chaudhuri**

CRR 4012 of 2022

**Sisir Kumar Bhadra and Others
Vs.
The State of West Bengal**

Mr. Dipankar Aditya
Ms. Tina Biswas
..for the petitioner

Md. Sabir Ahmed
Md. Abdur Rakib
..for the President & Secretary of Bar

Mr. Tanmoy Kumar Ghosh
Ms. Pritha Paul
..for the State

Item No. 04

Heard & Judgment on: 30.03.2023

Bibek Chaudhuri, J.

In connection with Joynagar P. S. Case No. 851 of 2021 dated 22nd December, 2021 under Sections 341/323/324/34 of the Indian Penal Code corresponding to G.R. Case No. 7774 of 2021 the learned

Magistrate issued warrant of arrest against the petitioners vide order dated 12th July, 2022.

It is contended on behalf of the petitioners that the de facto complainant is a law clerk of Baruipur Court. Under his influence the learned advocates and the law clerks attached to Baruipur Sub-Divisional Court refused to render any legal assistance to the petitioners.

Getting legal assistance in a judicial proceeding is one of the basic fundamental rights of a citizen and denial of such right amounts to an act of violation of fundamental right of life and liberty. Therefore, this Court on previous occasion directed the office bearers of Baruipur Criminal Court Bar Association and the office bearers of Law Clerks Association to appear before this Court to explain as to why such decision was taken that violates the fundamental right of a citizen, the petitioners herein. The office bearers of the criminal Court Bar Association and the Law Clerks Association at Baruipur appeared before this Court personally undertook to render all legal assistance to the petitioners, if required.

It is submitted by the learned advocate for the petitioner that the present petitioners are getting legal assistance and they have been released on bail. It is also submitted that in view of such changing circumstances, the instant revision may be disposed of

holding, inter alia, that the petitioners are at present getting legal assistance and in view of the order of bail the impugned order dated 12th July, 2022 has lost its force. I have duly considered the submission made by the learned advocate for the petitioner.

The instant revision is disposed of holding that the order dated 12th July, 2022 becomes infructuous in view of the fact that the petitioners have already been released on bail.

(Bibek Chaudhuri, J.)