

33.
03.12.2025
Bd.
Ct. 29

CRR 5129 of 2025
Bapi Sk. @ Sk. Bapi & Anr.
Vs.
The State of West Bengal

Mr. Biswajit Tiwari
Md. Sontu Mia
Ms. Alisha Parvin
Ms. Masuma Khatun
Mr. Aziz Al Aman
Md. Mijanur Rahaman **... for the petitioners.**

Leave to correct the name of petitioner no. 1 in the cause title of the petition is granted.

Petitioners herein have assailed the order dated 14th November, 2025 passed by learned Chief Judicial Magistrate, Malda, in connection with GR case No. 4330 of 2019. By the impugned order learned court below issued warrant of arrest against the two petitioners who were found absent on call.

Learned counsel appearing on behalf of the petitioners submits that due to miscommunication with their conducting lawyers they could not attend Court on 10th November, 2025 and 14th November, 2025, for which court below was pleased to issue warrant of arrest against the petitioners. Now they want to surrender before the court below and therefore they seek leave before this Court.

Having heard learned counsel appearing for the petitioners, I find that prayer made by the petitioners is innocuous and as such service of copy of application upon the opposite party is dispensed with.

Having heard learned counsel appearing on behalf of the petitioners, the instant application being CRR 5129 of 2025 is

hereby disposed of giving liberty to the petitioners to surrender before the court below within a period of two weeks from this date and in the event of such surrender by the petitioners before the court below, the court below will dispose of petitioners prayer in accordance with law without being influenced by any observation made hereinabove.

The impugned order dated 14.11.2025 by which warrant of arrest was issued against the petitioners is hereby stayed for a period of two weeks or till the petitioners surrender before the trial court, whichever is earlier.

Urgent Photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

(Dr. Ajoy Kumar Mukherjee, J.)