

Sl. 50
18.12.2025
Court No.29
BP

CRR 5373 of 2025

Atanu Mitra
Vs.
The State of West Bengal & Anr.

Mr. Prantick Ghosh
Ms. Poulami Saha
Ms. Shravani Ghosh
..for the petitioner

Being aggrieved by the impugned order no.25 dated 08.12.2025 passed in M.L. Case No.11 of 2024 presently pending before the court of learned Special Judge (CBI) Court No.3 present Application has been preferred. By the impugned order learned court below has issued warrant of arrest against the present petitioner as he could not take steps on that date.

Learned counsel appearing on behalf of the petitioner submits that the petitioner is suffering from Parkinson disease and cerebral attack and at the relevant point of time he was under medical treatment and was advised to take bed rest and as such he could not take step on the date fixed and the learned court below without giving the surety and opportunity to produce the petitioner before the court below on the next day, has straightway issued warrant of arrest against the petitioner. However petitioner wants to surrender before the court. He, therefore, seeks leave.

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

Considering the prayer made by petitioner, the application being CRR 5373 of 2025 is disposed of giving liberty to the petitioner to surrender before the court below within a period of three weeks. In the event of such surrender by the petitioner, the court below will dispose of his prayer in accordance with law, without being influenced by any observation made herein.

The impugned order dated 08.12.2025 by which the warrant of arrest has been issued against the petitioner is hereby stayed for a period of three weeks or till the petitioner surrenders before the trial court whichever is earlier.

Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Dr. Ajoy Kumar Mukherjee, J.)