

CALCUTTA HIGH COURT
In the Circuit Bench at Jalpaiguri
Appellate Side

CRR 104 of 2025

Md. Sabir & Anr.
Vs.
The State of West Bengal

Mr. Debasish Mukherjee
Ms. Madhushri Dutta
Ms. Srishti Sarkar ...for the petitioners

Mr. Aditi Shankar Chakraborty, Ld. APP
Mr. Ujjwal Luksom ...for the State

Being aggrieved and dissatisfied with the order dated 4th December, 2024 passed in C.R. case no. 47 of 2024, the present application has been preferred.

It is submitted on behalf of the petitioners that the petitioners were arrested from Kolkata and was produced before the Alipore court with the allegation of committing offence punishable under the provision of Bengal Excise Act and the Alipore court granted transit bail in favour of the petitioners, with a direction to appear before the jurisdictional court at Darjeeling on 29.11.2024 and to file compliance report by 3.12.2024.

However, for want proper instruction from advocate concerned, the petitioners failed to appear before the Darjeeling court within the specified date and as there was no compliance report before the Darjeeling court, learned Chief Judicial

Magistrate by the impugned order, cancelled bail order granted by the Alipore court and issued warrant of arrest.

A copy of the application has already been served upon the State.

Having heard the learned counsel for both the parties, the present application being CRR 104 of 2025 is hereby disposed of giving liberty to the petitioners to surrender before the court below within two weeks from the date of communication of the order and in the event of such surrender before the court below within the time frame, the court below will dispose of the said application for surrender in accordance with law.

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

(Dr. Ajoy Kumar Mukherjee, J.)