

31.10.2025
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SB
Ct no. 3

**Calcutta High Court
In the Circuit Bench at Jalpaiguri**

CRR 341 of 2025

**Ashik Pramanik @ Asik Pramanik
Vs.
The State of West Bengal & Ors.**

Mr. Sudip Guha
Ms. Ankita Nag ...for the Petitioner

Mr. Aditi Shankar Chakraborty, Ld. APP
Mr. Arjun Chowdhury ...for the State

Being aggrieved and dissatisfied with the order of issuance of arrest by the Trial court dated 30th April, 2025 in POCSO case no. 85 of 2024, present application has been preferred by the petitioner.

Learned counsel for the petitioner submits that initially he preferred an application for anticipatory bail before this High Court being CRM (A) 70 of 2025 and this court by its order dated 20th February, 2025, was pleased to grant anticipatory bail to the present petitioner with a further direction that in the event, the petitioner failed to comply with the direction without any justifiable cause, the learned court below will be at liberty to cancel his bail without any further reference to the High Court.

It is further submitted by the petitioner that the petitioner is a migrating labour and he used to work in the State of Gujrat and as such, he could not comply the direction made in the said anticipatory bail and therefore, the Trial court was pleased to issue warrant of arrest against the present petitioner, finding his absence in court.

However, he wants to surrender before the court below and as such, he prays for setting aside the order of issuance of warrant of arrest against the present petitioner.

Learned counsel for the State leaves the matter to the discretion of the court and prays for passing necessary order in accordance with law.

Having heard learned counsel for both the parties, the instant application being CRR 341 of 2025 is hereby disposed of giving liberty to the petitioner to surrender before the Trial court within two weeks from the date of communication of this order and in the event of such surrender by the petitioner, the court below will deal with the petitioner's prayer in accordance with law without being influenced by any observations made herein.

The issuance of warrant of arrest passed by the court below vide order dated 30th April, 2025 is stayed for a period of two weeks from this date or until further order, whichever is earlier. In the event of failure to surrender before the court below within the period, over impugned shall revive.

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.)