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CRR 74 of 2026

**Prabir Karmakar & Anr.
Vs.
The State of West Bengal & Anr.**

Mr. Prantick Ghosh
Mr. Prasad Bhattacharya
Ms. Shravani Ghosh
Ms. Poulami Saha

...for the Petitioners

In this Application petitioners have assailed the impugned order dated 3rd January, 2026 by which court below issued warrant of arrest against the present petitioners namely, Prabir Karmakar and Noorjamal, as they were found absent on the ground of being out of station.

Being aggrieved by the aforesaid order, learned counsel for the petitioners submits that the petitioners had prayed for an accommodation on medical ground. However, learned court below without giving an opportunity to the surety to produce the accused persons on the next date, has arbitrarily issued warrant of arrest against them. However, the petitioners now want to surrender before the court below and for which they are seeking leave before this Court.

Having heard learned counsel for the petitioners and that the prayer made by the petitioners is innocuous and if it is allowed, the opposite party will have no cause to prejudice, the service of copy of the application upon the opposite parties are dispensed with.

CRR 74 of 2026 is hereby disposed of giving liberty to the petitioners to surrender before the court below within a period of two weeks and in the event such surrender, the court below will dispose of their prayer in accordance with law without being influenced by any observations made herein.

The impugned order dated 3.1.2026 which pertains to the issuance of warrant of arrest against the petitioners, is hereby stayed for a period of two weeks or till the petitioners surrender before the court below, whichever is earlier.

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.)