

**24.02.2026**

Sl. No.08.

D/L.

Mithun.

Ct.No.29.

**CRR 726 of 2026**

**Motiur Rahaman @ Matiur Rahaman**

**Vs.**

**The State of West Bengal**

Mohammad Khairul,  
Sk. Shabibun Ullah

...for the petitioner

Being aggrieved and dissatisfied with the order dated 16<sup>th</sup> December, 2025, the petitioner has preferred the instant application. By the impugned order, learned Court below had issued warrant of arrest against the petitioner.

Learned Counsel appearing on behalf of the petitioner submits that the petitioner was suffering from different ailments and for which he could not attend the Court physically on the date fixed. However, he filed an absent petition through his lawyer but learned Court below rejected his prayer for accommodation and issued the warrant of arrest on the ground that learned Counsel for the petitioner could not explain properly the reasons for his absence. It is submitted on behalf of the petitioner that the petitioner has annexed medical documents in support of his illness and, therefore, the order impugned is arbitrary and is not sustainable in the eye of law.

Having heard learned Counsel for the petitioner, the instant application being CRR 726 of 2026 is hereby disposed of giving liberty to the petitioner to appear before the Court below within a period of three weeks and in the event of such appearance of the petitioner before the

Court below, he will dispose of his prayer in accordance with law without being influenced by any observation made herein.

The impugned order dated 16.12.2025 by which the Court below issued warrant of arrest against the petitioner shall be stayed for a period of three weeks or until the petitioner appears before the Court below, whichever is earlier.

Parties to act on a server copy of this order duly collected from the official website of the Hon'ble High Court, Calcutta.

**( Dr. Ajoy Kumar Mukherjee, J. )**