

09.03.2026

Sl. No.21.

D/L.

Mithun.

Ct.No.29.

CRR/775/2026

Setabur Rahaman @ Setabur & Ors.

Vs.

The State of West Bengal & Anr.

Mr. Aniket Mitra,
Mr. Musharraf Alam Sk,
Sr. Sarfaraj Nawaj

...for the petitioners

Leave to amend the prayer made in the application is granted.

Petitioners herein have prayed for quashing of the order No.2 dated 25.06.2025 passed in Criminal Misc Case No.1621 of 2025.

Learned Counsel for the petitioners being aggrieved by that order submits that by an order dated 14th May, 2025 passed in Criminal Misc Case No.1169 of 2025, learned Court below granted anticipatory bail to the petitioners and they were directed to surrender before the appropriate Court to pray for regular bail within a fortnight from the date of passing of that order.

However as in the meantime summer vacation intervened, the petitioners could not surrender themselves but made a prayer before the Court for extension of the time limit by modifying the said order dated 14.05.2025. However, by the impugned order, learned Court below without considering the submissions made on behalf of the petitioners passed an order as if the petitioners' anticipatory bail application has been rejected, as it has not been pressed.

Having considered the submissions made on behalf of the petitioners, I find that if the prayer made by the petitioners is considered in his favour, the opposite party will have no cause to prejudice and, as

such, service of copy of application upon the opposite party is dispensed with.

The instant application being CRR 775 of 2026 is hereby disposed of giving liberty to the petitioners to surrender before the learned Additional Chief Judicial Magistrate, Chanchal, Malda for regular bail within a fortnight from this date in terms of order dated 14.05.2025. If the petitioners surrender before the Court below within the stipulated period, the Court below will dispose of their prayer in accordance with law. However, if any of the petitioners or all the petitioners failed to surrender before the Court below within the stipulated period, this order shall stand cancelled in respect of concerned petitioner(s).

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.)