

17.06.2026
Sl. No.42
Ct. No.237
S.A.

CRR 1895 of 2026

Md. Aliulla Hoque @ Aliulla Hoque
- vs -
The State of West Bengal & Anr.

Mr. Sekhar Kumar Basu ld. sr. adv.
Mr. Antarikhya Basu
Mr. Sayan Mukherjee
Ms. Mayurakshi Saha

...for the petitioner

No one appears on behalf of the State.

By filing the present revisional application, the petitioner has challenged the order dated February 11, 2026, passed by the Learned Additional Chief Judicial Magistrate, Jangipur, Murshidabad, whereby a proclamation order was issued against the petitioner.

It appears from the records that a warrant of arrest against the petitioner in the present case was issued on January 27, 2026. Subsequently, on the basis of a police report, the Learned Magistrate, by the impugned order, issued a proclamation order against the petitioner.

A perusal of the order sheets does not reveal that the Learned Magistrate recorded his satisfaction regarding the non-execution of the warrant of arrest issued against the petitioner, which constitutes a prerequisite for the issuance of a proclamation order.

Mr. Sekhar Kumar Basu, learned advocate appearing on behalf of the petitioner, fairly submits that, subsequent to the interim order passed in the present revisional application on May 7, 2026, the petitioner sought anticipatory bail before this Court, which was rejected on June 11, 2026. In view of the aforesaid circumstance, I

am inclined to set aside the order dated February 11, 2026, passed by the Learned Magistrate.

Accordingly, I direct the Learned Magistrate to reconsider afresh the police report submitted before him on February 11, 2026, and to determine whether the warrant of arrest could not be executed despite the exercise of due diligence by the investigating agency.

Upon such consideration, the Learned Magistrate shall be at liberty to issue a proclamation order against the petitioner, or to pass such other order as may be deemed fit and proper, by way of a reasoned order founded upon due consideration of the police report.

Accordingly **CRR 1895 of 2026** is disposed of.

Urgent photostat certified copy of this order, if applied for, be supplied to the learned advocates for the parties on usual undertakings.

(Kausik Chanda, J.)