

13.01.2026

Item No.54

Ct.No.3

dc.

**IN THE HIGH COURT AT CALCUTTA
CIRCUIT BENCH AT JALPAIGURI
CRIMINAL REVISIONAL JURISDICTION**

C.R.R. 11 of 2026

In Re : An Application under Section 528 read with Section 442(3) of Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with GR Case No. 1625 of 2011 arising out of Kotwali P.S. Case No. 313/2011 dated 29.04.2011 under Sections 394/302 of the Indian Penal Code, 1860 read with Section 27 of the Arms Act.

And

In the matter of : **Bharat Roy @ Dhipa** ... Petitioner.

Mr. Anirban Banerjee ... For the Petitioner.

Mr. Aditi Shankar Chakraborty, APP,
Mr. Ujjwal Luksom ... For the State.

Learned advocate appearing for the petitioner submits that the petitioner intends to surrender and appear before the learned court below, but is apprehensive as warrant of arrest is pending against him. Petitioner was earlier granted bail in the year 2011. However, the order dated 21.07.2025 reflects that warrant of arrest was issued against the petitioner and others.

In view of the nature of the prayer before this Court, Mr. Ujjwal Luksom, learned advocate, who ordinarily appears for the State, is directed to represent the State. His appointment may be regularized by the concerned authorities.

Learned advocate appearing for the petitioner is directed to hand over a copy of the revisional application to Mr. Luksom, learned advocate for the State.

Having considered the prayer so advanced, I direct that in case the petitioner appears and surrenders before the learned Chief Judicial Magistrate, Jalpaiguri by 27th January, 2026, learned CJM would consider the application for bail of the petitioner in accordance with law.

In the meantime, the execution of warrant of arrest be stayed till 29th January, 2026.

Learned Magistrate would take harsher process of law, if within the aforesaid period, petitioner do not appear and surrender before the court of the learned Magistrate.

With the aforesaid observations, the revisional application being CRR 11 of 2026 is disposed of.

Pending connected application, if any, is consequently disposed of.

All concerned parties shall act on the server copy of this order duly downloaded from the official *website* of this Court.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Tirthankar Ghosh, J.)