

CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI

17.06.2026
Court No.5
Item No.40
Aloke

CRR 211 of 2026

Sbarajendu Dey Sarkar @ Sarajendu Sarkar
Vs.
The State of West Bengal

Mr. Hillol Saha Podder
... for the petitioner

Mr. Avrojoyoti Das, Id. APP
Ms. Rajyashree Ghosh
... for the State

1. The revisional application has been preferred challenging an order dated 22.04.2026, passed by the learned Judge, Special Court under SC & ST (POA) Act, 2nd Court, Darjeeling, in connection with Spl. G.R. Case No. 11 of 2022 arising out of Pradhannagar P.S. Case No. 286 of 2022 dated 19.04.2022 under Sections 447/354 of the Indian Penal Code, 1860, read with Section 3(1)(x) of the Schedule Caste and Schedule Tribes (Prevention of Atrocities) Act, 1989 thereby issuing warrant of arrest.
2. It appears from the document at page 25 that a resolution dated 21.04.2026 shows that there was a resolution by the local Bar for 'no adverse orders' for three days including 22.04.2026.
3. The petitioner submits it is due to the conduct of the lawyer who appeared before the Court on the said date and wrongly submitted that he has no instruction that the warrant of arrest was issued.

4. It appears that the learned Additional Sessions Judge did not issue any show-cause or direct the surety to produce the accused meaning giving an opportunity to the accused, prior to issuance of warrant of arrest.
5. Accordingly, in the interest of justice, the impugned order dated 22.04.2026 is hereby set aside.
6. The warrant of arrest issued is hereby recalled.
7. Petitioner shall remain on the same bail.
8. The revisional application is, thus, disposed of.
9. Connected application, if any, stands disposed of.
10. Let a copy of this order be sent to the trial Court at once.
11. Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Shampa Dutt (Paul), J.)