

10.07.2026

Sl. No.09.

S/L.

Mithun.

Ct.No.29.

CRR/2741/2026

Abdul Sakib

Vs.

State of West Bengal

Mr. Sandip Chakraborty,
Mr. Moyukh Mukherjee,
Mr. Kaustav Das,
Ms. Sharmistha Basak

...for the petitioner

In this application, the petitioner has assailed the order dated 22.08.2022 by which warrant of arrest was issued against the petitioner and the order dated 16.01.2023 by which warrant of proclamation and warrant of attachment has been issued simultaneously against the petitioner violating the mandatory provision of Section 84 and 85 of the BNSS.

Being aggrieved by the aforesaid order, learned Counsel for the petitioner submits that the petitioner earlier prayed for anticipatory bail before this Court and a Division Bench of this High Court granted anticipatory bail to the petitioner vide order dated 02.01.2023 in CRM(A) 5989 of 2022. Therefore, he submits that the order by which the Court below issued warrant of arrest and the order dated 16th January, 2023 by which warrant of proclamation and warrant of attachment was issued are liable to be set aside.

Having heard learned Counsel for the petitioner, the application is admitted.

Petitioner is directed to serve a copy of application upon the State through the office of Public Prosecutor, High Court, Calcutta.

Let the matter be listed before the regular Bench in the Monthly List of August, 2026.

Learned Counsel for the petitioner prays for an interim relief.

Having heard learned Counsel for the petitioner and that the petitioner had already obtained anticipatory bail granted by this Court vide order dated 02.01.2023, the impugned order dated 22.08.2022 and the impugned order dated 16.01.2023 passed in NDPS Case No.37 of 2022 are hereby stayed for a period of 8 weeks or until further order, 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.)