

13.12.2021
Sl. No.37
akd
[ALLOWED]

C. R. M. 4231 of 2021

[via video conferencing]

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 22.06.2021 in connection with Raiganj Police Station Case No. 260 of 2019 dated 02.05.2019 under Sections 14A(b)/14C of the Foreigners Act.

And

In Re: ***Hajrat Ali***

... .. Petitioner

Mr. Anindya Ghosh
Mr. Sudip Guha

... .. for the petitioner

Mr. Binay Panda
Mr. Subham Bhakat

... .. for the State

It is submitted on behalf of the petitioner that he is an Indian citizen.

Learned advocate appearing for the State opposes the prayer for anticipatory bail and submits that the petitioner harboured Bangladeshi nationals and was absconding.

Having considered the materials on record and keeping in mind the extent of complicity of the petitioner in the alleged crime in the light of the submission that he is an Indian citizen and as investigation is complete, we are of the opinion that custodial interrogation of the accused/petitioner may not be necessary in the facts of the present case and he may be granted anticipatory bail.

Accordingly, we direct that in the event of arrest, the accused/petitioner, namely ***Hajrat Ali***, be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only), with two sureties of like amount each, to the satisfaction of the arresting officer and also subject to the conditions as laid down under Section 438(2) of

the Code of Criminal Procedure, 1973 and on further condition that the petitioner shall appear before the court below and pray for regular bail within four weeks from date.

The application for anticipatory bail is, thus, disposed of.

(Bivas Pattanayak, J.)

(Joymalya Bagchi, J.)