

05.07.2022.

Ct.No. 1

Item No. 16

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*CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI
APPELLATE SIDE*

C.R.M. (A) 298 of 2022

In Re:- An application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure, 1973, filed on 23.06.2022.

And

In the matter of : **Idrish Ali @ Md Idrish @ Md. Idrij & Ors.**

...petitioners

Mr. Momenur Rahman,
Mr. Bikash Singha

...For the petitioners

Mr. Arun Kr. Sarkar,
Ms. Namrata Das

.....For the State

The application for anticipatory bail is canvassed on the ground that the charge sheet has been filed and there is no direct evidence against the petitioners. The petitioners have been implicated as Indian facilitators for the activities of smuggling into the country under the proviso of the Foreigners Act, 1946 and Indian Penal Code. The complaint was lodged on January 1, 2022, by the Commander of 40 Battalion BSF.

While it is true, that the charge sheet has been filed and the petitioners are no longer required for the custodial interrogation, this Court is, in the facts and circumstances of the present case, not inclined to

entertain the application for anticipatory bail at this stage.

This Court is not satisfied that there is any immediate apprehension of arrest of the petitioners.

Hence, C.R.M. (A) 298 of 2022, shall stand rejected.

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

(Ananda Kumar Mukherjee, J.) (Rajasekhar Mantha, J.)