

**CIRCUIT BENCH OF CALCUTTA HIGH COURT
AT JALPAIGURI**

12.04.2023
Court No.1
(D/L 23)
(rejected)

CRM (A) 187 OF 2023

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 filed on 09.03.2023 in connection with Kuchlibari Police Station Case No.141 of 2022 dated 07.11.2022 under Sections 14 A and 14 C of the Foreigners Act, 1946.

And

In the matter of: **Dulal Ray @ Dulal Roy**

... Petitioner.

Mr. Hillol Saha Poddar

... for the petitioner.

Mr. Aditi Shankar Chakraborty, APP

Mr. Biswarup Roy

... for the State.

Learned counsel appearing for the petitioner submits that this application for **anticipatory bail** has been moved as the charge-sheet has been filed against the petitioner and the other co-accuseds are on bail in a case under Foreigners Act.

He further submits that the name of the accused transpired only on the statement of a the co-accused and there is no other material on record from where it can be seen that the petitioner is in any way related with the case.

Learned counsel appearing for the State submits that the accused/petitioner is the habitual offender and four cases are pending in different police stations in his name.

Perused the documents and the charge-sheet. This is not a fit case for anticipatory bail. However, the petitioner is at liberty to surrender before the trial and pray for bail which shall be considered by the Court in accordance with law.

The application for bail is, accordingly, rejected.

[SHAMPA DUTT (PAUL), J.]

(RAJARSHI BHARADWAJ, J.)