

01.05.2023
KC (9)

IN THE HIGH COURT AT CALCUTTA
CIRCUIT BENCH AT JALPAIGURI
CRIMINAL MISCELLANEOUS JURISDICTION

C.R.M.(DB) 165 of 2023

In the Matter of : Chandan Roy

.... petitioner.

Mr. Dipankar Deb.....For the petitioner.

Mr. Nilay Chakraborty.....For the State.

This is an application for grant of bail filed under Section 439 of the Code of Criminal Procedure, 1973 in connection with F.I.R. No. 141 of 2022 dated 7th November, 2022 under Sections 14A and 14C of the Foreigners Act, 1946 corresponding to G.R. Case No. 790 of 2022 pending before the court of learned Additional Sessions Judge, Mekhliganj, Coochbehar.

The petitioner has been charged under Sections 14A and 14C of the Foreigners Act.

The facts of this case are almost identical to those in C.R.M. (DB) 152 of 2023 (Biswajit Roy @ Mithun Roy –vs- State) where this court granted bail to a co-accused on 12th April, 2023.

Learned counsel for the State admits that the petitioner is an Indian citizen based on the documents submitted by him to that effect on record.

For those reasons, we allow this application for bail on the following conditions:

The petitioner will be enlarged on bail upon furnishing a bond of Rs. 10,000/- (Ten Thousand) with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Additional Chief Judicial Magistrate, Mekhliganj on the following conditions:

1. The petitioner shall deposit his passport, if he has one, with the investigating officer,
2. He shall report before the said officer as and when summoned,
3. The petitioner shall not leave the limits of the District Cooch Behar where he resides without informing the I.C.,
4. He shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever.
5. The petitioner shall attend the court on each and every day of trial, in default, the court shall be at liberty to cancel the bail bond without any reference to this bench.

The application for bail [CRM (DB) 165 of 2023] is, accordingly, disposed of.

(I.P. MUKERJI, J.)

(ANANYA BANDYOPADHYAY, J.)

