

09.06.2023
SL No.28
Court No.1
Sb/Saswata
(Allowed)

***Circuit Bench of Calcutta High Court
At Jalpaiguri***

CRM (A) 284 of 2023

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure filed in connection with Kharibari Police Station Case No. 398 of 2022, dated 24.12.2022 under Section 14A/14C of the Foreigner's Act, 1946 read with Sections 419/468/471 of the Indian Penal Code, 1860.

And

In the matter of : **Naresh Chandra Ray**

- Petitioner.

Mr. Hillol Saha Podder

Ms. Mousumi Das

... For the Petitioner.

Mr. Saikat Chatterjee

Mr. Chattu Roy

... For the State.

1. In view of the fact that the petitioner has cooperated with the investigation and responded to the notice under Section 41A of the Cr.P.C. and is an Indian resident and having regard to the fact that charge sheet has already been filed and moreover since there is no possibility of the petitioner absconding, we are of the view that custodial interrogation of the accused/petitioner is not necessary and accordingly, we **allow** the prayer for anticipatory bail of the petitioner on the following conditions:

- i. In the event of arrest, the accused/petitioner, namely, **Naresh Chandra Ray**, 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.

- ii. The petitioner shall cooperate with the investigation.
- iii. The petitioner shall appear before the court below and pray for regular bail within four weeks from date and shall not leave the jurisdiction of the jurisdictional Court without express leave of the Court.

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

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

(Raja Basu Chowdhury, J.)

(Soumen Sen, J.)