

09.6.2023

Sl. No.59

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Rejected

IN THE HIGH COURT AT CALCUTTA

Circuit Bench at Jalpaiguri

CRM (A) 315 of 2023

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Sitalkuchi Police Station Case No. 13 of 2023 dated 20.01.2023 under Sections 143/186/188/189/353/307 of the Indian Penal Code read with Section 12(i)(vii) of the Cattle Licensing Act, 1959 along with Sections 25/27 of the Arms Act, 1959.

And

In Re: **Noor Jamal Mia @ Nur Jamal Miya**

... .. Petitioner

Mr. Arijit Ghosh

... .. for the petitioner

Ms. Aditi Shankar Chakraborty. Ld. APP

Mr. Biswarup Roy

... .. for the State

Learned counsel appearing for the petitioner submits that the petitioner is innocent and he has been falsely implicated.

Learned counsel appearing for the State opposes the prayer for bail and submits that the petitioner was involved in smuggling activities and his attempt was to cause grievous injury/imminent threat to life of on duty BSF personnel.

Having considered the materials available in the case diary and the involvement of the petitioner in the commission of alleged offence, we are not inclined to grant anticipatory bail to the petitioner.

Accordingly, the prayer for anticipatory bail of the petitioner stands rejected.

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

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.)