

24. 04.07.2023
Court
No.1 Tanmoy Ghosh

Rejected

CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI
APPELLATE SIDE

CRM (DB) 347 of 2023

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure, 1973, in connection with **Kuchlibari Police Station Case No. 142 of 2022** dated **07.11.2022** under Sections **14A/14C** of the Foreigners Act, 1946.

And

In the matter of: - **Biswajit Roy @ Mithun Roy & Ors.**

...petitioners.

Mr. Sayantan Sarkar, Adv.

...for the petitioners.

Mr. Abhijit Sarkar, Adv.,

Mr. Biswarup Roy, Adv.

...for the State.

The charge is under the Foreigners Act. The petitioners say that they have no involvement in the alleged incident. Their names have transpired from the statements of co-accused persons.

Learned Advocate for the State produces the case diary which we have perused. It appears that similar cases are pending against the petitioners. The learned trial Court, while rejecting the prayer of the petitioners, recorded that they are habitual offenders.

The petitioners and their likes are a threat to national security. They tend to facilitate foreigners to infiltrate illegally into our country. This must be discouraged.

Considering the nature and gravity of the offence and the material on record, we are not inclined to allow the petitioners' prayer for bail and the same is accordingly rejected.

The application for bail being CRM (DB) 347 of 2023 is, accordingly dismissed.

(Arijit Banerjee, J.)

(Partha Sarathi Sen, J.)