

AD-20
Ct No.01
Jalpaiguri
14.09.2023
SP

**Calcutta High Court
In The Circuit Bench at Jalpaiguri
Appellate Side**

CRM (A) 709 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 23.08.2023 in connection with Rajganj Police Station Case No. 47 of 2023 dated 29.01.2023 under Sections 14A/14C of the Foreigners Act, read with Sections 379/411/34 of the Indian Penal Code, 1860 pending in the Court of Learned Chief Judicial Magistrate Jalpaiguri.

And

In the matter of: MD. KAZIRUL @ KAJIRUL HAQUE

.... petitioner

Ms. Madhushri Dutta
Mr.Sohini Guha Roy

... for the petitioner

Mr. Aditi Shankar Chakraborty
Mr. Biswarup Roy

... for the State

1. Learned counsel for the petitioner submits that the petitioner is an Indian citizen and was framed in a complaint under Section 14(A)/14(C) of the Foreigners Act and other sections.
2. That apart, the petitioner was named on the basis of co-accused person's statements. Heard learned counsel for the State who opposes the prayer for anticipatory bail. However, in view of the circumstances as indicated above, CRM(A) 709 of 2023 is allowed granting anticipatory bail to the petitioner

subject to the petitioner complying with the stipulations in Section 438(2) of the CrPC.

3. In the event of arrest, the petitioner shall be released on bail upon furnishing bonds of Rs.5,000/-, with one surety who must be local, to the satisfaction of the Arresting Officer. That apart, the petitioner shall make himself available in case of arrest, for being interrogated by the Investigating Officer if so necessary.

(Sabyasachi Bhattacharyya, J.)

(Uday Kumar, J.)