

**CIRCUIT BENCH OF CALCUTTA HIGH COURT
AT JALPAIGURI**

13.01.2023
Court No.1
Item. 43
(Suvendu)

CRM(A) 708 OF 2022

An application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure, 1973 filed in connection with Mekhliganj Police Station Case No. 246/2022 dated 25.07.2022 under Sections 379/411 IPC read with Sections -11(1)(d) Prevention of Cruelty to Animal Act, read with Section 14A/14C of Foreigners Act.

And

In the matter of: Md. Bapi @ Bapi Haque & Anr.

.Petitioners.

Mr. Joydeep Kanta Bhowmik
Ms. Rikta Sarkar

For the Petitioners.

Mr. Nilay Chakraborty
Mr. Biswarup Roy

For the State.

Having regard to the nature of offence namely that of smuggling cattle within the country and the fact that the charge-sheet has already been submitted, we are inclined to allow the anticipatory bail.

We accordingly direct that in the event of arrest, the petitioners shall be released on bail upon furnishing a bond of Rs. 10,000/-(Rupees ten thousand only) each, with two sureties each of like amount, to the satisfaction of the Arresting Officer and also comply with the conditions laid down under Section 438(2) of The Code of Criminal Procedure, 1973. The petitioners shall also make themselves available before the learned court for

the trial as and when the petitioner is required and shall not interfere with any witnesses or tamper with any evidence in any manner whatsoever.

The application for anticipatory bail being CRM (A) 708 of 2022 is accordingly allowed and disposed of.

(SIDDHARTHA ROY CHOWDHURY,J.) (MOUSHUMI BHATTACHARYA,J.)