

30.01.2024
(D/L 93)
Ct. No.1
(Allowed)
(SKB)

**CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI**

C.R.M.(A) 61 of 2024

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Dinhata P. S. Case No.111 of 2017 dated 06.02.2017 under Section 186/188/379/411/413/34 of the Indian Penal Code (G.R. Case No.123 of 2017).

In the matter of : Menarul @ Minarul Haque @ Hoque
... Petitioner

Mr. Partha Pratim Sarkar,
Mr. Sudip Guha,
Mr. Sandip Guha Roy
... for the petitioner

Mr. Saikat Chatterjee,
Mr. Chattu Roy
... for the State

Mr. Bikash Singha
... for the defacto complainant

1. Heard learned Counsel for the parties.
2. Prayer for anticipatory bail has been opposed by learned counsel for the State. It has been alleged that the present accused petitioner has got active role in smuggling ten cattles to Bangladesh.
3. Investigation has been completed in the meantime.
4. We are not made aware of any past criminal antecedent of the present petitioner.
5. Regard being had to the facts and submission, factum of permanent residence of the petitioner, nature of allegation, nature of evidence and completion of

investigation, it is directed that the petitioner shall surrender before the learned ACJM, Dinhata in G.R. Case No.123 of 2017 arising out of the aforesaid P.S. case within 15 days from today. On his appearance and application for bail, he shall be released on bail including the conditions that

- i) He shall appear before the trial court on each date of substantive hearing subject to provision of Section 317 Cr.P.C.
- ii) He shall not leave the territorial jurisdiction of the learned trial court for a period of 15 days at a time without obtaining prior leave of the trial court.

6. Accordingly, the prayer for the anticipatory bail is allowed.

7. The applications being CRM(A) 61 of 2024 is disposed of.

8. The learned court below is hereby directed to act upon the server copy or certified copy of this order.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)