

31.01.2024
(D/L 24)
Ct. No.1
(Allowed)
(SKB)

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

C.R.M.(A) 88 of 2024

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Kotwali P. S. Case No.679 of 2023 dated 11.09.2023 under Section 14A/14C of the Foreigners Act (G.R. Case No.4795 of 2023).

In the matter of : Shibu Roy

... Petitioner

Mr. Partha Pratim Sarkar,
Mr. Sudip Guha,
Mr. Sandip Guha Roy

... for the petitioner

Mr. Aditi Shankar Chakraborty, ld. APP
Mr. Biswarup Roy

... for the State

1. Heard learned Counsel for the parties.
2. On perusal of the entire materials as placed before us, it reveals that the present petitioner is similarly circumstanced with the petitioner who has been enlarged on anticipatory bail on 1.12.2023 in CRM(A) 934 of 2023 by a co-ordinate Bench.
3. Regard being had to the facts and submission, factum of permanent residence of the petitioner, nature of allegation, nature of evidence, ground of parity and completion of investigation, it is directed that the petitioner shall surrender before the learned CJM, Jalpaiguri in the G.R. Case No.4795 of 2023 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 by the aforesaid court on such terms and conditions as deemed just and proper in the facts and circumstances of the case including the condition that

- i) The petitioner shall appear before the trial court on each date of substantive hearing subject to the provision of Section 317 Cr.P.C.

4. Accordingly, the prayer for the anticipatory bail is allowed.
5. The applications being CRM(A) 88 of 2024 is disposed of.
6. 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.)