

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

12.03.2024
Court No.1
(103)
(AK)

CRM(A) 174 of 2024

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 in connection with Kuchlibari Police Station Case No. 135 of 2023 dated 27.09.2023 under Sections 14A/14C of Foreigners Act, 1946.

And

In the matter of: **Jaker Akan**

. **Petitioner.**

Mr. Bikash Singha
Mr. Chandan Roy

... For the Petitioner.

Mr. Nilay Chakraborty
Mr. Kallol Acharjee
Ms. Sukanya Adhikary

... For the State.

1. We do not find any incriminating material against the petitioner in the material placed before us. In any event, the petitioner is alleged to have helped a Bangladeshi National cross over to India through Nepal.
2. We are hence of the view that the petitioner's custodial interrogation is not required. Moreover, chargesheet has already been submitted on 22nd November, 2023.
3. We, accordingly, grant the application for anticipatory bail.
4. We accordingly direct that in the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties each of like amount to the satisfaction of the Arresting Officer and also to comply with the conditions laid down under Section 438(2) of The Code of Criminal Procedure, 1973. The petitioner shall cooperate with the Investigating Officer as and when required. The petitioner shall also not intimidate any witnesses or

tamper with any evidence in any manner whatsoever. The petitioner shall also not leave the local limits without leave of the concerned authorities. The petitioner shall also appear before the court whenever the petitioner is required to do so without fail.

5. The application for anticipatory bail being CRM(A) 174 of 2024 is allowed and disposed of in terms of the above.

(PRASENJIT BISWAS, J.)

(MOUSHUMI BHATTACHARYA, J.)