

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

15.03.2024
Court No.1
(77)
(AK)

CRM(A) 191 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. 22 of 2024 dated 01.02.2024 under Sections 14A/14C of the Foreigners Act, 1946.

And

In the matter of: **Rabisankar Ray**

.**Petitioner.**

Mr. Debasish Mukherjee
Ms. Srishti Sarkar

... For the Petitioner.

Mr. Kallol Acharjee
Mr. Biswarup Roy

... For the State.

1. The petitioner’s name transpired from the statement of a co-accused. The FIR records that the petitioner is an Indian National and allegedly helped the co-accused to visit India through the Tripura border.
2. The nature of allegations persuade us to grant the prayer for anticipatory bail but impose strict conditions so that the investigation into the alleged offence progresses and is concluded expeditiously.
3. We are of the view that the custodial interrogation of the petitioner is not required.
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 join the investigation and make himself available for questioning to the Investigating Officer once in a fortnight till

completion of the investigation. 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 of the concerned police station without leave of the Investigating Officer.

5. The application for anticipatory bail being CRM(A) 191 of 2024 is allowed and disposed of in terms of the above.

(PRASENJIT BISWAS, J.)

(MOUSHUMI BHATTACHARYA, J.)