

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

15.03.2024
Court No.1
(81)
(AK)

CRM(A) 195 of 2024

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 in connection with Kharibari Police Station Case No. 398 of 2022 dated 24.12.2022 under Sections 14A/14C of the Foreigners Act, 1946.

And

In the matter of: **Parimal Chandra Singha**

. **Petitioner.**

Mr. Hillol Saha Podder

... For the Petitioner.

Mr. Abhijit Sarkar
Mr. Biswarup Roy

... For the State.

1. We find from the records that a co-accused was granted anticipatory bail by a coordinate Bench on 9th June in *CRM(A) 284 of 2023*.
2. The petitioner before us claims to be on the same footing as the petitioner before the coordinate Bench. The petitioner is an Indian National.
3. Further considering the fact than chargesheet has also been submitted and the petitioner has also complied with the notice under Section 41A of The Code of Criminal Procedure and there is no likelihood of the petitioner absconding or hampering the process of trial, we are of the view that the petitioner's custodial is not required.
4. We, accordingly, grant the application for anticipatory bail.
5. We are informed that one Jharu Mahanta who was before a coordinate Bench on 7th August, 2023 was on a different footing to that of the petitioner before us and was related to the principal accused.
6. 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.

7. The application for anticipatory bail being CRM(A) 195 of 2024 is allowed and disposed of in terms of the above.

(PRASENJIT BISWAS, J.)

(MOUSHUMI BHATTACHARYA, J.)