

22.04.2024
Court No.01
Item No. 177

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

Allowed

sg

CRM (A) 249 of 2024

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Kuchlibari Police Station Case No. 68 of 2023 dated 24.06.2023 under Sections 14A/14C of the Foreigners Act.

And

In Re: **Bapi Roy.**

Petitioner

Mr. Supriya Debnath

For the Petitioner

Mr. Kallol Acharjee,
Mr. Dhiman Sil,

For the State

1. We have heard the learned Counsel for the parties.
2. On perusal of the entire materials as placed before this Court, it appears to us that the present accused petitioner is similarly circumstanced with the accused persons already enlarged on bail by two coordinate Benches in CRM(A) 64 of 2024 and CRM(DB) 675 of 2023.
3. 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, Mekhliganj in G.R. Case No. 370 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 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 more than 7 days except to the permission of the trial court unless such condition is relaxed by the learned trial court on the basis of an application made before him by the present petitioner.

4. Accordingly, the prayer for the anticipatory bail of the petitioner namely **Bapi Roy** is allowed.
5. The application being CRM (A) 249 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.

(Soumen Sen, J)

(Partha Sarathi Sen, J)