

**IN THE HIGH COURT AT CALCUTTA
Circuit Bench at Jalpaiguri**

**13.05.2024.
64.
Ct.No.28.
as
(Allowed)**

C.R.M. (DB) 178 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Kuchlibari P.S. Case No.166 of 2023 dated 19.11.2023 under Sections 14A/14C of the Foreigners Act.

In the matter of : **Sushanta Das & Anr.**

.... Petitioners.

Mr. Hillol Saha Podder.

...for the Petitioners.

Mr. Sandip Chakraborty,
Mr. Sanjiv Das.

...for the State.

1. Petitioners are Indian citizens. They submit there is no progress in the matter. Accordingly, they pray for bail.
2. Learned Advocate for the State opposes the bail prayer.
3. We have considered the materials on record. Petitioners are Indian citizen. They are in custody for 176 days. There is little possibility of trial concluding in the near future.
4. Under such circumstances, we are inclined to enlarge the petitioners on bail.
5. Accordingly, the petitioners viz., **Sushanta Das and Babu Das** shall be released on bail upon furnishing a bond of Rs.10,000/- each with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Additional Chief Judicial Magistrate, Mekhliganj, Coochbehar subject to condition that they shall appear before the trial court

on every date of hearing until further orders and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

6. In the event the petitioners fail to appear before the trial court without any justifiable cause, the trial court shall be at liberty to cancel their bail in accordance with law without further reference to this Court.

7. This application for bail is, thus, disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)