

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

**13.05.2024.
72.
Ct.No.28.
as
(Allowed)**

C.R.M. (DB) 199 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Mekhliganj P.S. Case No.422 of 2023 dated 10.12.2023 under Sections 379/411 of the Indian Penal Code read with Sections 14A/14C of the Foreigners Act and read with Section 11(1)(d) of Prevention of Cruelty to Animal Act and charge sheet submitted under Sections 379/411 of the Indian Penal Code and Sections 14A/14C of the Foreigners Act and Section 11(1)(d) of Prevention of Cruelty to Animal Act.

In the matter of : **Ersad Md. @ Md. Ersad.**

.... Petitioner.

Ms. Madhushri Dutta.

...for the Petitioner.

Mr. Biswarup Roy.

...for the State.

1. Heard the learned Advocates for the parties.
2. We have considered the materials on record. Petitioner is an Indian citizen. It is alleged that he aided and abetted foreign nationals to come in India.
3. Keeping in mind the extent of complicity of the petitioner in the crime and the period of detention suffered by him i.e. five months, we are inclined to grant bail to the petitioner.
4. Accordingly, the petitioner viz., **Ersad Md. @ Md. Ersad** shall be released on bail upon furnishing a bond of Rs.10,000/- with two sureties of like amount, one of whom must be local, to the satisfaction of the learned Additional Chief Judicial Magistrate, Mekhliganj, Coochbehar subject to condition that

he 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.

5. In the event the petitioner fails to appear before the trial court without any justifiable cause, the trial court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

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

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)