

24.04.2024
SL No.38
Court No.1
(gc)
(rejected)

***Circuit Bench of Calcutta High Court
At Jalpaiguri***

CRM (A) 356 of 2024

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure filed in connection with Kuchlibari Police Station Case No.33 of 2024, dated 14.02.2024 under Sections 14A/14C of the Foreigner Act.

And

In the matter of : **Subhankar Roy @ Subhankar Barman @ Tikka
@ Shubhankar Roy**

- Petitioner.

Mr. Supriya Debnath,
Mr. L. Ali

... For the Petitioner.

Mr. Abhijit Sarkar
Mr. Arjun Chowdhury

... For the State.

1. The learned Counsel for the petitioner submits that the present accused petitioner is an Indian Citizen.
2. Prayer for anticipatory bail has been opposed on behalf of the State.
3. On perusal of the entire materials as placed before this Court, it reveals that the present accused petitioner acts as a middleman to facilitate Bangladeshi people to enter into India.
4. In our considered view, custodial interrogation of the present accused petitioner is so much necessary.

5. Accordingly, we are not inclined to exercise our discretion under Section 438 of the Cr.P.C in favour of the present accused petitioner.
6. Accordingly, the prayer for anticipatory bail is considered and rejected.
7. All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Soumen Sen, J.)

(Partha Sarathi Sen, J.)