

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

**22.05.2024.
16.
as
(Allowed).**

C.R.M. (A) 420 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Jalpaiguri Kotwali P.S. Case No.68 of 2024 dated 02.02.2024 under Sections 14A/14C of the Foreigners Act read with Sections 768/471 of the Indian Penal Code.

In the matter of : **Dindayal Roy.**

... Petitioner.

Mr. Partha Pratim Sarkakr,
Mr. Sudip Guha,

...for the Petitioner.

Mr. Kallol Acharjee,
Mr. Biswarup Roy.

.....for the State.

1. Petitioner is an Indian citizen. He contends he has been falsely implicated on the statement of co-accused. Accordingly, he prays for anticipatory bail.

2. Learned Advocate for the State opposes the prayer for anticipatory bail. He submits petitioner was assisting Bangladeshis to cross the international border.

3. We have considered the materials on record. Petitioner is an Indian citizen. His complicity has transpired from statement of co-accused before police officer. Bangladeshi nationals have already been arrested. Investigation is complete.

4. In view of the aforesaid facts and the extent of complicity of the petitioner in the crime, we are inclined to grant anticipatory bail to the petitioner.

5. Accordingly, we direct that in the event of arrest the petitioner viz., **Dindayal Roy** shall be released on bail upon furnishing a bond of Rs.10,000/- with two sureties of like amount each, to the satisfaction of the arresting officer and subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on further condition that the petitioner shall appear before the trial court and pray for regular bail within a period of four weeks from date.

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

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)