

27.11.2024
SI No.79
srm/Mujahid
(Allowed)

**Calcutta High Court
In The Circuit Bench at Jalpaiguri**

CRM(A) 914 of 2024

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure/Section 482 of the B.N.S.S. filed on **08.11.2024** in connection with **Kuchlibari** Police Station Case No. **158/2022** dated **08.12.2022** under Sections **14A/14C** of the Foreigners Act.

And

In the matter of : **Lipan Ali**

... Petitioner.

Mr. Anirban Banerjee,
Mr. Tapabrata Ghosh

... for the petitioner.

Mr. Niloy Chakraborty,
Mr. Biswaroop Roy

... for the State.

Petitioner prays for pre-arrest bail.

Charge-sheet has been submitted.

Considering the materials on record, we are inclined to allow the prayer for pre-arrest bail of the petitioner.

Accordingly, we direct that in the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs.20,000/- (Rupees Twenty thousand only), with two sureties of equal amount each, one of whom must be local, to the satisfaction of the jurisdictional court and subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 corresponding to Section 482(2) of B.N.S.S. The petitioner shall appear before the jurisdictional court on each day on and from the date fixed for appearance after completion of

investigation. Petitioner shall remain outside the jurisdiction of Mekhliganj police station, except for the purpose of attending the court till further orders of the learned trial court.

In case the petitioner fails to adhere to any of the conditions mentioned in Section 438(2) of the Code of Criminal Procedure, 1973 correspondent to Section 482(2) of B.N.S.S., the learned jurisdictional court shall be entitled to cancel the bail without further reference to this court.

The application for anticipatory bail is, thus, disposed of.

(Partha Sarathi Chatterjee J.)

(Shampa Sarkar, J.)