

02.12.2024
SL No.11
s.biswas
(Allowed)

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

C.R.M. (DB) 648 of 2024

In Re: - An application for bail under Section 483 of the BNSS in connection with **NJP** P.S. Case No. **1030/2024** dated **09.10.2024** under Sections **14(A)/14(C)** of the Foreigners Act.

And

In the matter of: **Nitai Barman**

....Petitioner

Mr. Kunaljit Bhattacharjee
Mr. Haider Ali
Mr. alok Sah
Mr. Satyam Sarkar

...for the Petitioner

Mr. Saikat Chatterjee
Mr. Chattu Roy

...for the State

1. The petitioner is in custody for 54 days. The petitioner prays for grant of bail on the ground that he has been falsely implicated by the police on the basis of the statement of some Bangladeshi national who were apprehended at the border. The petitioner is an Indian national.
2. Learned counsel appearing on behalf of the state produces the case diary and opposes the prayer for bail.
3. We have gone through materials on record. We have also gone through the allegations against the petitioner and we have considered the period he has been in custody. The charge-sheet is yet to be filed. Accordingly, we are inclined to grant bail to the petitioner.

4. Accordingly, the petitioner will be released on bail upon furnishing a bond of Rs.10,000/- with two sureties of equal amount each, one of whom must be local, to the satisfaction of learned Chief Judicial Magistrate, Jalpaiguri, subject to the condition that the petitioner shall meet the investigating officer twice a week until further orders and shall not intimidate witnesses or tamper with evidence in any manner whatsoever or commit similar offences in future.
5. In the event the petitioner fails to comply with the conditions as enshrined hereinbefore, it is open to the trial court to cancel the bail of the petitioner without any further reference to this Court.
6. The application for bail is, thus, allowed.

(Partha Sarathi Chatterjee, J.)

(Shampa Sarkar, J.)