

05.12.2024
SI No.45
s.biswas
(Allowed)

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

CRM (A) 983 of 2024

In Re: An application for anticipatory bail under Section 482 of the BNSS corresponding to Section 438 of the Cr.P.C. in connection with **Sahebganj** Police Station Case No. **237/2024** dated **19.04.2024** under Section **14A/14C** of the Foreigners Act.

And

In Re: **Ekramul Haque @ Hak**

... .. Petitioner

Mr. Sudip Guha

... for the petitioner

Mr. Nilay Chakraborty

Mr. Biswarup Roy

... .. for the State

1. Petitioner prays for anticipatory bail on the ground of wrongful invocation of the provisions of the Foreigners Act..
2. Learned advocate for the State produces the case diary and opposes the prayer for anticipatory bail of the petitioner.
3. We have considered the materials in the case diary. Investigation is complete. It appears that the petitioner is an Indian national. Under such circumstances, we are of the view that custodial interrogation of the petitioner is not necessary and the benefit under Section 482 of the BNSS corresponding to Section 438 of the Cr.P.C. can be extended to the petitioner.
4. Accordingly, we direct that in the event of arrest, the petitioner be released on bail upon furnishing a bond of Rs.10,000/-, with two sureties of equal amount each, to the

satisfaction of learned Additional Chief Judicial Magistrate, Dinhata and also subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 corresponding to Section 482(2) of BNSS and further condition that the petitioner shall appear before the jurisdictional court on the dates fixed and shall not leave the jurisdiction of the jurisdictional court.

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

(Partha Sarathi Chatterjee, J.)

(Shampa Sarkar, J.)