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01-04-2025
(ct. no.01)
KOLE
Allowed

**In the High Court At Calcutta
Jalpaiguri Circuit Bench**

CRM (A) 143 of 2025

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure/Section 482 of the BNSS in connection with **Sitalkuchi Police Station** Case No. **557 of 2024** dated **29.11.2024** under Sections **14A/14C** of the Foreigners Act.

- A n d -

In the matter of : Dipak Chandra Barman @ Dipak Barman & Anr.

.... Petitioners.

Mr. Hillol Saha Poddar,
Ms. Mousumi Das,

... For the Petitioners.

Mr. Abhijit Sarkar,
Mr. Biswarup Roy,

... For the State.

1. The charge is under Section 14A/14C of the Foreigners Act, 1946. The petitioners say that admittedly they are Indian nationals. Hence, charge under Section 14A would not lie against them.

2. In so far as Section 14C is concerned, at the highest they have allegedly aided and abetted an offence. They are prepared to fully cooperate with the Investigating Officer.

3. Learned State Advocate, while opposing the prayer, could not place before me such material as would justify rejection of the petitioners' prayer for anticipatory bail.

4. In view of the above, I allow the petitioners' prayer for anticipatory bail.

5. Accordingly, in the event of arrest, the petitioners, namely **Dipak Chandra Barman @ Dipak Barman** and **Sanjali Barman** shall be released on bail upon furnishing a bond of Rs.10,000/-

each, with two sureties of like amount each, one of whom must be local, to the satisfaction of the arresting officer and shall abide by the conditions laid down in Section 438(2) of the Code of Criminal Procedure/Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 until further orders and on further condition that the petitioners shall report to the Investigating Officer of the concerned Police Station once in a fortnight until further orders.

6. In case the petitioners fail to adhere to any of the conditions mentioned hereinabove or in Section 438(2) of the Code of Criminal Procedure/Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023, the learned Court below shall be entitled to cancel the anticipatory bail without further reference to this Court.

7. The application for anticipatory bail, being CRM (A) 143 of 2025 is disposed of.

8. All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Arijit Banerjee, J.)