

03.04.2025
Item no. 13.
Court No.1.
AB
(Rejected)

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

CRM (A) 157 of 2025

In Re: An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure, 1973/Under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Mekhliganj P.S. Case No.96 of 2024 Dated 22.03.2024 under Sections 447/188/379/411 of the Indian Penal Code read with Section 11(1)(d) of the Prevention of Cruelty to Animal Act

And

In the matter of : Kalipada Roy @ Kalipada Barman & Anr.

.....Petitioners.

Ms. Krishna Barman,
Mr. Chandan Roy,
Mr. Abdul Habib for the Petitioners.

Mr. Kallol Acharjee
Mr. Kallol Nag for the State.

1. The charge is of smuggling of cattle. The petitioners say that they have been falsely implicated. They are not involved in the alleged offence at all. The seizure was not from them. They pray for pre arrest bail.
2. Learned State Advocate draws my attention to statements of witnesses recorded under Section 180 B.N.S.S. 2023. Several witnesses have implicated these petitioners by name. It appears that the petitioners are part of an organized crime of cattle smuggling across the border.

3. I am told that investigation is still in progress and charge sheet is yet to be filed.
4. In view of the material on record and the nature of the crime, I am not inclined to entertain the petitioners' prayer for pre arrest bail.
5. The prayer for anticipatory bail is rejected.
6. CRM (A) 157 of 2025 stands dismissed.
7. All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Arijit Banerjee, J.)