

July 03, 2025

1 ARDR
(Allowed)

**IN THE HIGH COURT AT CALCUTTA
IN THE CIRCUIT BENCH AT JALPAIGURI**

C.R.M. (R) 36 of 2025

In Re : An Application for bail under Section 483 of the Bharatiya
Nagarik Suraksha Sanhita, 2023 in connection with **Kuchlibari**
Police Station Case No. **21** of **2023** dated **12/3/2023** under
Sections **14A/14C** of the Foreigners Act, 1946.

And

In Re : **Lipan Ali**

... Petitioner

Mr. Anirban Banerjee,
Mr. Tapabrata Ghosh,
Mr. Soumyajit Laskar,

... for the Petitioner.

Mr. Kallol Acharjee,
Mr. Biswarup Roy,

... For the State.

This is an application for bail filed on behalf of the accused
Lipan Ali.

It is submitted on behalf of the petitioner that the petitioner
is an Indian citizen. He has been implicated in this case with an
allegation that he illegally harboured Bangladeshi national. The
investigation of the case has ended in a charge sheet under
Sections 14A and 14C of the Foreigners Act far back in the year
2023. It is also submitted that although the petitioner has been
absconding for a long period, but he voluntarily surrendered before
the Court. The case is fixed for framing of charge.

Learned advocate for the State submits that the allegations
are serious as against the petitioner and he should not be released
on bail.

I have considered the submissions made on behalf of the
parties and also in consideration of materials in the Case Diary

produced today. It appears that the investigation of the case ended in a charge sheet under Sections 14A/14C of the Foreigners Act on April 30, 2023. It is not denied that the petitioner voluntarily surrendered before the jurisdictional Court.

Considering the aforesaid circumstances and also taking into account that the petitioner is no longer required for the purpose of custodial interrogation and the case is also already fixed for framing of charge, I am inclined to grant the petitioner on bail upon furnishing bond of Rs.10,000/- (Rupees Ten Thousand only), with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned **Additional Chief Judicial Magistrate, Mekhliganj**, subject to condition that he shall attend the learned trial Court on every date of hearing and shall not leave the jurisdiction of learned Additional Chief Judicial Magistrate, Mekhliganj. The petitioner shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to comply with any of the conditions as mentioned above without justifiable cause, the learned trial Court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

The application for bail is, thus, disposed of.

Case Diary be returned.

Urgent certified website copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Md. Shabbar Rashidi, J.)