

Criminal Misc. Case No.1816/22
CNR NO-WBCB01-002745-2022

Present : Sri Kallol Kumar Das, Vacation Judge, Cooch-Behar
(J.O Code No.WB00668)

Order No. 02, dated 15.10.2022

Today is fixed for hearing of this Criminal Misc. Case.

This is an application u/s:438 Cr.P.C filed by the accused petitioner named **Prakash Roy** who is apprehending arrest by the police of Kuchlibari P.S in connection with Kuchlibari P.S Case No.101/21, dt.01.11.21 u/s:14A/14C of Foreigners Act, corresponding to G.R Case No.684/21.

Ld. Advocates for both sides are present.

The Misc. Case is taken up for hearing.

Received the LCR and CD.

At the outset, Ld. Advocate for the petitioner submits that no application for anticipatory bail of the petitioners had either been rejected by the Hon'ble Court or is pending for disposal before the Hon'ble Court.

Heard both sides.

Ld. Advocate for the accused petitioner has submitted that he is an Indian National and in support of the same, he has filed sufficient documents. C.S has already been submitted wherein it shows that he is an Indian National. Investigation is completed.

Ld. P.P opposes and leave the matter before this court.

Having regard to the facts and circumstances, it shows that principle accused who happens to be the B.D National is in custody. The W.A was issued against him by the Ld. ACJM, Mekhliganj.

Considering the facts and circumstances, I am of view that prayer is liable to be allowed. Accordingly, prayer is considered and allowed.

Hence, it is,

o r d e r e d

that the accused petitioner named **Prakash Roy** shall be released on bail on the event of his arrest with **bond of Rs.2000/- with one registered surety** to the satisfaction of arresting authority on condition that they shall comply the provision of section 438(2) and on condition that they shall cooperate the I.O during

investigation. He is also directed to appear before the court of Ld. ACJM, Mekhliganj on the date fixed and pray for regular bail.

The Criminal Misc. Case is, thus, disposed of.

C.D and LCR be returned.

Dictated & corrected,

Sd/-
Vacation Judge,
Cooch-Behar.

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Vacation Judge,
Cooch-Behar.