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CRM 9043 of 2020

(Via Video Conference)

In the matter of an application for **bail** under Section **439** of the Code of Criminal Procedure, **1973** in connection with New Town Police Station Case No. 196 of 2020 dated 29.10.2020u under Section 14(a) of the Foreigners Act, 1946.

And

In Re : **Lillian Maureen Nakago**
...for petitioner

Mr. Sourjya Das
...for petitioner

Ms. Faria Hossain
Ms. Baisali Basu
...for State

Petitioner has applied for bail on having been arrested for violation of provisions in Foreigners Act, 1946.

Mr. Sourjya Das, learned advocate appears on behalf of petitioner and submits, his client has a multiple entry visa valid till 21st October, 2024. A condition in the visa limits stay up to 90 days per entry. She has overstayed first entry. There is no other allegation of offence against her. She is a mother of two and will remain at 1699,

Kalikapur Madurdaha Road, East Township, Kolkata-700107. He submits further, any condition be imposed for grant of bail.

Ms. Faria Hossain, learned advocate appears on behalf of State and hands up the case diary to demonstrate every entry is limited to 90 days. Petitioner first entered the country through Mumbai on 27th October, 2019. On information had there was a raid when she was arrested. Charge sheet has been filed. She opposes the application. On query from Court she submits, the passport has been seized.

We think fit to grant bail to petitioner on following conditions.

Petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand only), with two sureties of like amount, one of whom must be a local surety subject to the satisfaction of the learned Chief Judicial Magistrate, Barasat, North 24 Parganas, on condition that during bail she shall appear before the learned trial court on all future dates till the disposal of the trial and she shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

Petitioner will reside at the address given above and appear at trial. On breach of any of the above conditions the trial Court will be at liberty to cancel her bail without reference to this Court.

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

(Arindam Sinha, J.)

(Md. Nizamuddin, J.)