

27.01.20

Sl. No.3

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Ct. No.1

CALCUTTA HIGH COURT

In the Circuit Bench at Jalpaiguri

C. R. M.112 of 2020

In Re: Md. Samiul Islam Saon. Applicant

Mr. Aniruddha Biswas for applicant.

Mr. Sourav Ganguly for State.

Mr. Bhowmik, learned advocate appears on behalf of applicant and submits, his client is a foreign national, who seeks bail. He submits, his client has been in custody for 185 days. By order dated 11th September, 2019, co-accused was enlarged on bail. Allegation is under section 411/414 of Indian Penal Code as made in Haldibari Police Station Case no.144 of 2019 dated 27.07.2019. He submits further, there should be equal treatment under the law as guaranteed under article 14 in the Constitution of India. His client's travel documents stand seized. Mr. Ganguly, learned advocate appears on behalf of State and hands up the case diary. He also refers to said order dated 11th September, 2019 as containing direction for authentication, under Antiquities and Art Treasures Act, 1972, of the article recovered. He opposes the application.

Co-accused and applicant do not stand on same footing. Applicant is a visitor. By being involved in circumstances, which give rise to allegations of an offence committed, he has also violated his obligations permitting him to travel in India. It is, therefore, of little consequence that his travel documents stand seized. Conduct of applicant does not inspire confidence. The application is rejected.

(Arindam Sinha, J.)