

11.06.2021

(04)

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ALLOW

C.R.M. 1417 of 2021
(Via Video Conference)

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure filed in connection with Swarupnagar Police Station case No. 589/2020 dated 03.11.2020 under Section 14 of the Foreigners Act.

In the Matter of : Manoda Biswas @ Manada Biswas
.... petitioner.

Mr. Sagar Saha ...for the petitioner.

Ms. Sukanya Bhattacharjee,
Mr. Subrato Roy. ...for the State.

Learned Counsel appearing on behalf of the petitioner submits as follows. The petitioner is a 71 years old lady who is in custody in connection with the present case for about 221 days. She is an Indian citizen and has valid voter's identity card and relevant documents. The State was to file a report regarding the authenticity of the documents filed by the petitioner.

Learned Counsel appearing on behalf of the State files a report, which is taken on record, and submits as follows. Upon enquiry by the investigating agency, it has been found that the EPIC card belonging to the petitioner is genuine. As such, the petitioner's claim that she is an Indian citizen cannot be disputed at this stage.

Considering the report filed by the investigating agency regarding verification of the petitioner's EPIC card and in view of the fact that the petitioner is in custody for about 221 days, I am inclined to allow the application for bail.

The petitioner shall be released on bail subject to the satisfaction of the learned Additional Chief Judicial Magistrate, Basirhat, North 24 Parganas upon furnishing a bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of like amount each, one of whom shall be local.

All parties shall act on a server copy of this order duly downloaded from the official website of this Court.

(Jay Sengupta, J.)