

04.08.2021

Court No.28
Item No.13
(REJECTED)

Saswata

CRM 2102 of 2021
(Via Video Conference)

In Re:- An application for bail under section 439 of the Code of Criminal Procedure filed on 23.02.2021 in connection with Murshidabad Police Station Case No. 290 of 2019 dated 26.09.2019 under Sections 399/402 of the Indian Penal Code and adding Sections 14A(b) of the Foreigners Act (G.R.Case No. 2040 of 2020);

And

In the matter of : **Yeasin Sk. @ Yasin Sk.**

...Petitioner.

Mr. Biswajit Sarkar

Md. Bani Israil

Ms. Kanchan Gupta

...For the Petitioner

Mr. Swapan Banerjee

Mr. Suman De

... For the State

The petitioner has filed the instant application for bail under Section 439 of the Code of Criminal Procedure in connection with Murshidabad Police Station Case No. 290 of 2019 dated 26.09.2019 under Sections 399/402 of the Indian Penal Code and adding Sections 14A(b) of the Foreigners Act (G.R.Case No. 2040 of 2020).

The petitioner has been languishing in jail for nearly 412 days in connection with offences under Sections 399/402 of the Indian Penal Code and Section 14A(b) of the Foreigners Act. The matter was adjourned on the last occasion to peruse the police report pertaining to the citizenship of the petitioner of this country.

The report dated 3rd August 2021 filed in connection with CRM 1736 of 2021 would reveal that the petitioner claims to be the son of Seikh Tufajuddin and Manufa who were interrogated and blatantly denied to have any son by the name of the petitioner. Once the claim, that the petitioner is the son of those persons failed, we do not think that the petitioner had made out a case for grant of bail.

The application for bail is, thus, considered and ***rejected***.

(Harish Tandon, J)

(Bibek Chaudhuri,J.)

