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CRM 3166 of 2021

(Via Video Conference)

In Re: an application for bail under Section 439 of the Code of Criminal Procedure, 1973 in connection with G.R. Case No. 5440 of 2020 arising out of Basirhat Police Station Case No. 1286 of 2020 dated 17.12.2020 under Sections 14/14C of the Foreigners Act.

And

In the matter of:

Tandra Roy

Vs.

The State of West Bengal

Mr. Sumanta Chakraborty
...for the petitioner

Mr. Ranabir Roy Chowdhury
Mr. Mainak Gupta
...for the State

The petitioner is booked for committing offence under Section 14/14C of the Foreigners Act. Charge sheet has been submitted by the police authority against the petitioner. During investigation the petitioner produces her Voter Identity Card, Aadhar Card etc. to prove that she is an Indian citizen. The Investigating Officer submitted a report on 23rd February, 2021 stating, inter alia, that the Voter's Identity Card is genuine. So far as the authenticity of the

Aadhar Card in the name of the petitioner, the matter is under further investigation.

It is submitted by the learned advocate for the petitioner that since the Voter's Identity Card stands in the name of the petitioner which should be considered as a document of her citizenship of this country, she should be released on bail.

Mr. Ranabir Roy Chowdhury, learned P.P.-in-Charge submits that the Investigating Officer of this case has already obtained the liberty from the learned Court below to file supplementary charge sheet on further investigation of the Voter's Identity Card and Aadhar Card of the petitioner.

Since the Voter's Identity Card stands in the name of the petitioner, she be released on interim bail till 7th June, 2021 of Rs.10,000/- with one surety of like amount to the satisfaction of the learned Additional Chief Judicial Magistrate, Basirhat on condition that if on bail, she shall meet the Investigating Officer/Officer-in-Charge of Basirhat Police Station once in a fortnight. It is also directed that the petitioner shall stay at Saptagram (Angshik) North Dum Dum, Nimta, North 24 Parganas, Kolkata-700051 during the period of further investigation and trial. She shall file an affidavit stating her residential address and mobile phone number, if any, to the Investigating Officer/Officer-in-Charge of Basirhat Police Station on the first date of her visit to the P.S. If the petitioner violates any of the above

conditions, interim bail be rejected without further reference to this Court.

Investigating Officer shall take all endeavour to file supplementary charge sheet, if any, by 7th June, 2021.

CRM 3166 of 2021 is, thus, disposed of.

(Bibek Chaudhuri, J.)