

27.07.2021

S/L. 3
Ct.No.34
dc.
Allowed

C.R.M. 4029 of 2021
(Via Video Conference)

In Re : An Application for bail under Section 439 of the Code of Criminal Procedure, 1973.

And

In Re : **Reshma Begum @ Reshma Begam @ Reshma**
... Petitioner.

Mr. Satadru Lahiri,
Mr. Safdar Azam
... For the Petitioner.

Ms. Sukanya Bhattacharyya,
Mr. Mirza Firoj Ahmed Begg
... For the State.

The present application under Section 439 of the code of Criminal Procedure has been preferred by the petitioner in connection with Swarupnagar P.S. Case No. 356 of 2021 dated 03.04.2021 under Section 14 of the Foreigners Act, 1946.

Pursuant to the earlier order of this Court, a report dated 23.07.2021 has been submitted by the Officer-in-Charge of Swarupnagar Police Station, Basirhat Police District and the same be kept with the record.

The report reflects that the Aadhar Card and the Epic Card were sent for verification. So far as the Epic Card No. XHC2303782 standing in the name of the present petitioner, the same has been found to be genuine. Moreover, the statements of the locals, which the concerned police

personnel viz. Protap Sarkar examined, reveal that the present petitioner was staying at the Jangpura area of New Delhi for about 25 years. There may be subsequent materials which may surface, if the investigating agency continues with the investigation, so far as the documents are concerned, but having regard to the fact that the present petitioner is staying in India for more than 25 years and is in custody in connection with this case for more than 125 days and the charge-sheet has already been submitted, I am of the view that further detention of the petitioner is unwarranted in connection with the instant case.

Accordingly, it is directed that the petitioner, viz. **Reshma Begum @ Reshma Begam @ Reshma** shall be released on bail upon furnishing a bond of Rs.20,000/- (Rupees Twenty Thousand only), with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Additional Chief Judicial Magistrate, Basirhat and on further condition that after being released on bail, the petitioner shall not leave the jurisdiction of the learned ACJM, Basirhat without the leave of the learned trial court. The petitioner shall also inform her place of residence, while staying within the said jurisdiction, to the Officer-in-Charge of the local police station and shall attend the court on the specified dates.

With the aforesaid observations, the application for bail, being CRM 4029 of 2021, is disposed of.

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

(Tirthankar Ghosh, J.)