

02
25.06.2021
Ct.35
AKG
Allowed

**CRM 4137 of 2021
(Through Video Conference)**

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with Swarupnagar P.S. Case No. 109 of 2021 dated 28th January, 2021 under Section 14 of the Foreigners Act.

And

In the matter of: Basana Sarkar

.... Petitioner

Mr. Kallol Kr. Basu,
Md. Jannat Ul Firdous

... For the Petitioner

Mr. P. K. Dutta,
Mr. Santanu Deb

... For the State

Mr. Kallol Kr. Basu, learned advocate, appears for the petitioner. The petitioner was apprehended in connection with G.R. No. 418 of 2021 arising out of Swarupnagar P.S. Case No. 109 of 2021 dated 28th January, 2021 under Section 14 of the Foreigners Act.

Mr. Basu submits that the husband of the petitioner has already been enlarged on bail, by an order dated April 27, 2021 passed in CRM 2816 of 2021. A copy of the said order has been annexed to this petition. Mr. Basu seeks bail saying that the petitioner is in custody for 147 days.

Mr. P. K. Dutta, learned advocate, appears for the State and opposes the prayer for bail.

In view of the fact that the husband of the petitioner has got bail from this Court being charged with the same offence and that the petitioner should not be detained in the custody any further.

Accordingly, the petitioner shall be released on bail upon furnishing a bond of Rs.5,000/- (Rupees Five Thousand only), with two sureties of like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Basirhat and with the further condition, that she will appear before the learned trial court on the date fixed for hearing.

CRM 4137 of 2021 is allowed.

Urgent photostat certified copy of this order, if applied for, be made available to the petitioner upon compliance with all requisite formalities.

(Kausik Chanda, J.)