

CRM 4182 of 2021

In re : An application for bail under Section 439 of the Code of Criminal Procedure, 1973 in connection with Basirhat P.S. Case No. 335 of 2021 dated 08.05.2021 under Section 14 of the Foreigners Act, 1946.

In the matter of : **Bonna Kundu @ Banna Kundu**
..... petitioner

Mr. Satadru Lahiri

.....For the petitioner

Mr. Suman De

.....For the State

This is an application for bail under Section 439 of the Code of Criminal Procedure, 1973 in connection with Basirhat P.S. Case No. 335 of 2021 dated 08.05.2021 under Section 14 of the Foreigners Act, 1946.

Learned advocate for the petitioner submits that the petitioner has been falsely implicated in this case under the Foreigners Act, 1946. He relies upon various annexures of this application. It appears that the petitioner has been issued Voter Identity Card by the Election Commission of India. Income Tax Department has also issued a Permanent Account Number (PAN) Card in her favour. Aadhaar Card has also been issued in favour of the petitioner. The husband of the petitioner has landed property in Madhyamgram, North 24-Parganas.

Mr. Suman De, learned advocate appearing for the State vehemently opposes the prayer for bail. He prays one month time to verify the said documents by the investigating agency.

I see no reason to accept the prayer on behalf of the State. The documents annexed to the petition, *prima facie*, establish the citizenship of the petitioner.

In view of the aforesaid, the application for bail stands allowed with the direction that 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 Additional Chief Judicial Magistrate, Basirhat, 24-Parganas (North).

The State will be at liberty to file appropriate application if on verification it is found that the documents relied upon by the petitioner are not genuine.

The application being CRM 4182 of 2021 is allowed.

(Kausik Chanda, J.)