

CRM 5464 of 2021
(Via video conference)

In Re: Application for Bail under Section 439 of the Code of Criminal Procedure filed in connection with Kotwali Police Station Case No. 608 of 2020 dated 26.8.2020 under Sections 420/379/427 of the Indian Penal Code and Section 14(A) of the Foreigners Act.

And

In the matter of : Kajal Kumar Mondal

.....Petitioner

Mr. Saibal Bapuli
Ms. Debjani Sahufor the State

None appears for the petitioner.

Mr. Saibal Bapuli, Learned Additional Public Prosecutor appears on behalf of the State and produces the Case Diary.

It is reflected from the case diary that the petitioner's name is appearing in the register of the Election Commission of Bangladesh. *Prima facie*, a case has been made out under the Foreigners Act and as such, it is the duty of the accused in course of trial to rebut such evidence produced and relied upon by the prosecution.

Therefore, the prayer for bail of the petitioner is refused.

Accordingly, CRM 5464 of 2021 is dismissed.

The learned trial Court is directed to expedite the process of trial.

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

(Tirthankar Ghosh, J.)