

CRM 6027 of 2021

In re : An application under Section 439 of the Code of Criminal Procedure, 1973 in connection with Swarupnagar Police Station Case No. 548 of 2018 dated 30.10.2018 under Sections 468/469/471 of the Indian Penal Code, 1860 and under Section 14 of the Foreigners Act, 1946.

In the matter of : **Abdulla Mondal @ Abdulla Bukhari Mondal**

..... petitioner

**Mr. Satadru Lahiri
Mr. Safdar Azam**

....For the petitioner

Mr. Suman De

....For the State

In support of this application for bail, Mr. Satadru Lahiri, learned advocate, submits that there is a valid passport in favour of the petitioner and unless and until, the said passport is cancelled or revoked, it substantiates the case of the citizenship of the petitioner. It has, further, been submitted by Mr. Lahiri that the petitioner has all the documents like, ration card, AADHAAR card, PAN card and title deed of a landed property in support of his citizenship.

Mr. Suman De, learned advocate, appearing for the State submits that the charge-sheet has been filed in this case and there are substantial material collected to suggest that the petitioner is a citizen of Myanmar, who subsequently procured illegally all the documents in support of his citizenship of India.

From the statements recorded under Section 161 of the Code of Criminal Procedure, 1973, *prima facie*, it appears that the petitioner is a citizen of Myanmar, who after coming to India, subsequently, procured the said documents.

Having regard to the aforesaid, I am of the opinion that the petitioner should not be enlarged on bail, at this stage. The prayer for bail of the petitioner is rejected.

The application being **CRM 6027 of 2021** is disposed of.

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

(Kausik Chanda, J.)