

13.12.2021

Item No.4
Ct.No.34
dc.

C.R.M. 6830 of 2021

(Via Video Conference)

In Re : An Application for bail under Section 439 of the Code of Criminal Procedure filed in connection with Swarupnagar P.S. Case No. 749 of 2021 dated 27.08.2021 (G.R.No. 3782 of 2021) under Section 14 of the Foreigners Act, 1946.

And

In Re : **Sumon Khan**

... Petitioner.

Mr. Satadru Lahiri,
Mr. Safdar Azam

... For the Petitioner.

Mr. Narayan Prasad Agarwala,
Mr. Sandip Kundu

... For the State.

Report of Superintendent of Police, Basirhat Police District dated 09.12.2021 submitted by Mr. Kundu, learned advocate appearing for the State be kept with the record.

Learned advocate for the State has drawn the attention of this Court to the contentions advanced in the said report.

Prima facie, the report reflects that the address referred to in the Epic Card is substantiated by certain oral evidence as well as documentary evidence from the concerned authorities. Having regard to the same, I am of the opinion that further custodial detention of the petitioner is unwarranted in view of the fact that the petitioner is in custody for 108 days. As such, the prayer for bail is **allowed**.

Accordingly, I direct that the petitioner, viz., **Sumon Khan** shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten 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 the petitioner shall not intimidate witnesses and/or tamper with evidence in any manner whatsoever.

While on bail, the petitioner shall not leave the jurisdiction of Swarupnagar Police Station except for the purposes of attending the Court. If the petitioner leaves the said jurisdiction, the same must be by way of informing and express permission given by the Officer-in-Charge of the concerned Police Station.

The application for bail, being CRM 6830 of 2021, is, thus, 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.)