

27.04.2021

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(Via Video Conference)

CRM 11076 of 2020

Salim Sheikh @ Salim Mannan Shaikh

-Vs.-

The State of West Bengal

In Re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with Hemnagar Coastal P.S. Case No.38 of 2020 dated 09.08.2020 under Sections 14/14C of the Foreigners Act (G.R. No.3290 of 2020).

Mr. Kallol Kumar Basu

Mr. Jannat Ul Firdous

.....

For the

Petitioner

Ms. Faria Hossain

Mr. Aniket Mitra

.....For the State

This is an application under Section 439 of the Code of Criminal Procedure filed on behalf of the petitioner who is in jail custody for the last 243 days.

Learned counsel for the State has submitted the report dated 19.04.2021 of SI of Police Mr. Biplab Dey, Hemnagar Coastal Police Station, North 24 Parganas before this Court which was called for with regard to

the examination of the documents on behalf of the accused petitioner to ascertain as to whether the documents submitted by the accused petitioner are genuine or not. It is reflected from the report received from Koparkhairane Police Station 3226/2021, Navi Mumbai, State – Maharashtra that the documents produced on behalf of the accused, Selim Sheikh have been verified stating that the accused petitioner is the resident of Annasaheb Patil Gardenjawal, Shivsen Karyalaya Jawal, Sector - 6, Koparkhaime, Navi Mumbai, Maharashtra for the last ten years. The report be kept on record.

Learned advocate appearing for the petitioner states that the petitioner is Indian National though charge sheet has already been submitted against him.

I have heard learned advocate appearing for the petitioner through video link and Mr. Aniket Mitra, learned advocate appearing for the State.

Having regard to the verified documents that the accused petitioner namely, Salim Sheikh @ Salim Mannan Shaikh, is prima facie, an Indian National, the

petitioner shall be released on bail upon furnishing bond of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of like amount each one of whom has to be local subject to the satisfaction of the learned Additional Chief Judicial Magistrate, Basirhat on condition that he will appear before the learned Trial Court on the date fixed or as directed by the learned Trial Court.

The application for bail is, accordingly, allowed.

Thus, CRM 11076 of 2020 is disposed of.

Urgent photostat certified copies of this order, if applied for, be made available to the parties upon compliance of the requisite formalities.

(Shivakant Prasad, J.)