

24.02.2022

Sl. No. 01

Srimanta

Ct.No.42

CRM (SB)/6/2022

(Via Video Conference)

In Re : An application for bail under Section **439** of the Code of Criminal Procedure, 1973 in connection with an FIR being **Basirhat** Police Station Case No. **720/2021** dated **06.10.2021** under Section **14** of the Foreigners Act and a final report in the form of a charge-sheet being no. **715/2021** dated **20.10.2021** under Section **14** of the Foreigners Act.

In the matter of : **Shyamal Pal @ Shyamal Kumar Pal @ Shyamal Sarkar.**

...appellant.

Md. Anwar Hossain, Adv.,
Ms. Ratna Ghosh, Adv.

...for the State.

There is a discrepancy in the name of the accused. So far as the Aadhar Card, Ration Card etc. the name of the accused is recorded as Shyamal Kumar Pal but in the EPIC Card as well as Voter's list his name is reflected as Shyamal Sarkar. In order to ascertain whether Shyamal Pal and Shyamal Sarkar are the same and identical person this Court directed the accused to produce any document prepared before 2015.

Learned Advocate for the petitioner submits that the Ration Card of the accused was prepared prior to 2012. This is an antedated document whether the petitioner is described as Shyamal Pal. The surname of the accused was recorded wrongly in the EPIC Card and Voter's list. For this reason the prosecution cannot take advantage. The accused is in

custody for more than 100 days. Considering the recording in the Aadhar Card, Bank Passbook and Ration Card, the accused is enlarged on interim bail of Rs.10,000/-(Rupees Ten Thousand) with one surety of like amount to the satisfaction of the Learned A.C.J.M., Basirhat with further condition that the petitioner shall submit an affidavit stating his residential address and mobile phone number so that he may be tracked during the pendency of the appeal.

Ad interim bail till 30th July, 2022.

Petitioner is at liberty to pray for extension of interim bail during the pendency of the appeal.

(Bibek Chaudhuri, J.)