

25.02.2022

Sl. No. 03
Srimanta
Ct.No.42

CRM (SB)/25/2022

(Via Video Conference)

In Re : An application for bail under Section **439** of the Code of Criminal Procedure, 1973 in connection with **Swarupnagar** Police Station Case No. **1023/2021** dated **03.12.2021** under Section **14** of the Foreigners' Act.

In the matter of : **Ujjal Dey @ Ujjwal Dey.**

...petitioner.

Mr. Rama Prasad Sarkar, Adv.,
Mr. Debasis Sur, Adv.

...for the petitioner.

Mr. Prasun Kumar Datta, Ld. A.P.P.,
Mr. S. D. Roy, Adv.

...for the State.

In pursuance of order dated 11th February, 2022 the officer-in-Charge of Swarupnagar Police Station submitted a report stating, *inter alia*, that the name of the accused is enrolled in the Voter's List of 102 Amdanga Assembly Constituency Part No. 171, Electoral Serial No. 480. The Aadhar Card of the petitioner also stands in the said address.

Though charge-sheet has been filed in the instant case under Section 14 of the Foreigners' Act against the accused, considering the document I am of the *prima facie* view that he is entitled to be enlarged on bail. The accused may find bail of Rs. 10,000/- (Rupees Ten Thousand) with one surety of like amount to the satisfaction of the Learned Additional Chief Judicial Magistrate, Basirhat with further condition that he shall attend the trial of the case regularly before the Trial Court.

It is made clear that the observation regarding Voter's List, Voter's Identity Card and Aadhar Card of the accused by this Court is only limited to the disposal of the instant application for bail. Any observation in this regard shall have no bearing in the trial of the case and the Learned Magistrate is directed to proceed with the trial of the case without being influenced in any way with regard to observation made in the instant order.

The report filed in Court today be kept with the record.

(Bibek Chaudhuri, J.)