

07.03.2022

Ct. No. 42

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Sc

CRM (SB) 26OF 2022

Alisha Khan @ Reziea Khatun

vs.

The State of West Bengal

(VIA VIDEO CONFERENCE)

In Re : Application for Bail under Section 439 of the Code of Criminal Procedure in connection with Swarupnagar Police Station Case No. 1071 of 2021 dated 19.12.2021 under Section 14 of the Foreigners Act, 1946, filed on 8th February, 2022.

Mr. Satadru Lahiri

Mr. Safdar Azam.

..... For the Petitioner

Mr. P.K. Datta

Mr. Santanu Deb Roy.

..... For the State

The petitioner was booked for committing offence under Section 14 of the Foreigners Act. In order to prove her citizenship, the petitioner has filed one voter identity card through her learned advocate along with the application for bail.

The investigating officer was directed to verify the said report. In the Electoral Roll of the constituency, the name of the petitioner reportedly appears. The concerned authority obtained opinion of the BLO and his Supervisor. The residential address of the petitioner was verified in presence of local witnesses and finally a report is submitted stating, *inter alia*, that the petitioner ordinarily does not reside in the address where her name is appearing in the Electoral Roll since 2015.

On the basis of the said report, I am not in a position to give much importance upon the voter identity card of the petitioner. Therefore, prayer for bail is rejected at this stage.

The report be kept in the record.

Learned advocate for the petitioner is at liberty to file a fresh application for bail with better documents.

Accordingly, application for bail is rejected at this stage and CRM (SB) 26 of 2022 is disposed of.

(Bibek Chaudhuri, J.)