

11.04.2022

Item No.01

Suman

Ct.42

CRM (SB) 50 of 2022

In Re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with an order dated 09.01.2022 passed by the learned Additional Chief Judicial Magistrate, Bangaon, North 24 Parganas in G.R. Case No. 34 of 2022 arising out of Gaighata Police Station Case No.23 dated 08.01.2022 under Section 14 of the Foreigners Act.

And

In the matter of:

Badal Gazi

Vs.

The State of West Bengal

Mr. Yunus Mondal

Mr. Pronojit Roy

...for the petitioner

Mr. Binoy Panda

Ms. Puspita Saha

...for the State

It appears from the report submitted by the Investigating Officer of this case that the name of the petitioner is appearing in the electoral roll of 179- Sion Koliwada Assembly Constituency in Electoral Roll Part No.139, Sr. No.344. The Investigating Officer has also produced the original report along with his report. In respect of other documents namely Aadhaar number, PAN Card number etc. the Investigating Officer could not collect any report.

Charge sheet has been submitted in this case. Therefore, though the learned P.P.-in-charge has raised objection against the prayer for bail, this Court is of the view that since the petitioner's name appears in the Electoral Roll of one Assembly Constituency of this Country, he should be released on interim bail. The petitioner is enlarged on interim bail of Rs.10,000/- with one surety till 30th November, 2022 with further condition that he shall attend the Court below on each and every date of trial, failing which the interim bail shall be cancelled without further reference to this Bench.

The application is, thus, disposed of.

(Bibek Chaudhuri, J.)