

19.04.2022

Sl. No. 01.

Mithun.

Ct.No.42.

CRM(SB)/55/2022

(Via Video Conference)

Shankari Bakshi

Vs.

The State of West Bengal.

In re: An application under Section 439 of the Code of Criminal Procedure, 1973 , an order dated 11th March, 2022, passed by the Learned Judicial Magistrate, 1st Additional Court, Basirhat, North 24 Parganas, rejecting the prayer for bail of the petitioner in connection with GR Case No.42/2022 arising out of Swarupnagar Police station Case No.05/22 dated 04.01.2022 under Section 14 of the Foreigners Act, 1946.

Mr.Satadru Lahiri, Adv.

Mr. Safdar Azam, Adv.

...for the petitioner .

Mr. P.K.Datta, APP.

Mr. Santanu Deb Roy, Adv.

... for the State.

The petitioner is booked in connection with Swarupnagar Police Station Case No.05/22 dated 4th January, 2022 under Section 14 of the Foreigners Act.

It is claimed by the petitioner that she is an Indian citizen and she was wrongly implicated in this case under the Foreigners Act. On the last occasion the petitioner filed certain documents to prove her citizenship in this Country. One of such documents is the birth certificate of her child. The authenticity of the said birth certificate was examined by the Investigating Officer as per order passed by this

Court. The Investigating Officer submitted a report that the said birth certificate is fake and forged and it does not tally with the corresponding register maintained by the Sub-Registrar, Birth and Death under Jadurhati Gram Panchayet in Block - Baduria, North 24-Parganas. All other documents filed by the petitioner do not prima facie establish her citizenship of this Country.

Therefore, having heard the learned Counsel for the petitioner and the learned Public Prosecutor-in-Charge, prayer for bail of the petitioner is refused and the instant application is rejected.

(Bibek Chaudhuri, J.)