

19.04.2022

Sl. No. 03.

Mithun.

Ct.No.42.

CRM(SB)/57/2022

(Via Video Conference)

Jiban Poddar

Vs.

The State of West Bengal.

In re: An application under Section 439 of the Code of Criminal Procedure, 1973 in connection with the G.R. Case No.336 of 2022 arising out of Swarupnagar Police Station Case No.75 of 2022 dated 30.01.2022 under Section 14 of the Foreigners Act, 1946.

Mr.Subrata Bhattacharjee, Adv.

Mr. Soumen Sarkar, Adv.

...for the petitioner .

Mr. P.K.Datta, APP.

Mr. Santanu Deb Roy, Adv.

... for the State.

The petitioner was arrested in Swarupnagar Police Station Case No.75 of 2022 dated 30th January, 2022 under Section 14 of the Foreigners Act. In the instant application it is claimed by the petitioner that he is not a Bangladeshi national and his name is appearing in the voters list of Gaighata Assembly Constituency and in support of his contention he has filed the photostat copy of the EPIC card.

The copy of the said EPIC card was sent to the Investigating Officer of this case for verification and report. It is reported by the Investigating Officer that the voters identity of the petitioner is genuine and his name is appearing in the voters list of Gaihata Assembly Constituency.

Considering such aspect of the matter, the petitioner is enlarged on bail of Rs.10,000/- with one surety of like amount to the satisfaction of the learned Additional Chief Judicial Magistrate, Basirhat with further condition that the petitioner shall attend the trial of the case regularly in the Court below, failing which the instant order of bail shall be cancelled without further reference to this Bench.

(Bibek Chaudhuri, J.)