

15.06.2022

Item No.7.

Mithun

Ct.42

(Via Video Conference)

CRM (SB) 109 of 2022

In the matter of : Swapan Biswas.

... petitioner.

In re: An application under Section 439 of the Code of Criminal Procedure, 1973 in connection with GR Case No.1430 of 2022 arising out of Swarupnagar Police Station Case No.371/22 dated 13.04.2022 under Section 14 of the Foreigners Act, 1946.

Mr. Satadru Lahiri, Adv.

Mr. Safdar Azam, Adv.

Mr. Shirsho Dasgupta, Adv.

...for the petitioner.

Mr. Sudip Ghosh, APP.

Mr. Sandip Chakrabarty, Adv.

...for the State.

Vide order dated 30th May, 2022, this Court directed the Investigating Officer to enquire about the genuinity of the documents filed by the petitioner in order to prove his citizenship of this Country. The Investigating Officer has filed a report stating, inter alia, that the voter's card/EPIC card in the name of the petitioner is genuine. However, the Investigating Officer could not collect the verification report of Aadhar Card.

In view of the fact that the name of the petitioner appears in the Electoral Roll of this Country, I am inclined to release the petitioner on bail. 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 on further condition that he must appear before the Trial Court on each and every date of trial.

It is also learnt from the submission made by the learned Public Prosecutor-in-Charge that charge-sheet has been submitted in this case under Section 188 of the Indian Penal Code and Section 12 of the Passport Act.

The report be kept with the record.

(Bibek Chaudhuri, J.)