

04.08.2022

Item No.6

Ct.No.34

dc.

Rejected

C.R.M. (SB) 154 of 2022

In Re : An Application for bail under Section 439 of the Code of Criminal Procedure filed in connection with Bagdah Police Station Case No. 240 of 2022 dated 02.04.2022 (G.R. No.983 of 2022) under Section 14 of the Foreigners Act, 1946.

And

In Re : **Md. Ukil Mallick alias Sahabaddin Malita**

... Petitioner.

Mr. Susnigdho Bhattacharyya

... For the Petitioner.

Mr. Prasun Kumar Datta,

Mr. Santanu Deb Roy

... For the State.

Report dated 31.07.2022 submitted by Superintendent of Police, Bongaon Police District be kept on record.

An enquiry was directed to be conducted by the Superintendent of Police, Bongaon Police District for ascertaining the fact whether Md. Ukil Mallick and Sahabaddin Malita are one and the same person. An exhaustive enquiry was conducted by the Superintendent of Police, Bongaon Police District along with statements of member of local Gram Panchayat and the son of Late Rafchad Malita. This was because of the fact that in the Epic Card, Rafchad Malita was referred to as father of the person who is the Epic Card holder. There were witnesses who were also examined to ascertain regarding the statements so made.

Having regard to the report submitted by the Superintendent of Police, Bongaon Police District, I am of the opinion that the petitioner is not entitled to be released on bail. As such, the prayer for bail of the petitioner is **rejected**.

Learned trial court is directed to expedite the progress of the trial.

The application for bail, being CRM (SB) 154 of 2022, is, thus, dismissed.

All parties shall act on the server copy of this order duly downloaded from the official *website* of this Court.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Tirthankar Ghosh, J.)