

03.05.2023
Sl. No.1
akd
[Rejected]

C. R. M. (DB) 1623 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 13.04.2023 in connection with Baishnabnagar Police Station Case No.412 of 2022 dated 17.05.2022 under Sections 14A(b)/14C of the Foreigners Act.

And

In Re: ***Abdul Bari***

... .. Petitioner

Mr. Arup Kumar Bhowmick

... .. for the petitioner

Mr. Bidyut Kr. Ray

Ms. Rita Datta

... .. for the State

Petitioner is a foreign national. On an erroneous premise that he is an Indian national, he was enlarged on bail vide order dated 24.04.2023. As the foundation of the order is perverse, the same is declared as a nullity and recalled.

We have considered the bail application afresh. Materials on record show petitioner is a foreign national. Police report has already been filed. Under such circumstances, we are not inclined to grant bail to the petitioner at this stage.

The application for bail is thus rejected.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)