

01.08.2023  
tkm/ct 28  
sl no. 24

**C.R.M. (DB) 2309 of 2023**

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Swarupnagar PS case no. 723 of 2022 dated 21.7.2022 under sections 14A(b) of the Foreigners Act and section 12 of the Passport Act

And

**Allowed**

In Re : Sharif Sardar

..... petitioner

Mr. S Lahiri

Mr. S Azam

..... for the petitioner

Mr. Anwar Hossain

Ms. Manisha Sharma

..... for the State

Heard learned lawyers for the parties.

Report is placed on record. It appears from the report that Voter's identity card is genuine. There is some dispute with regard to authenticity of Aadhaar card. As voter's identity card is the primary proof of citizenship we are inclined to grant bail to the petitioner.

Accordingly, the petitioner be released on bail upon furnishing a bond of Rs. 10,000/- with two sureties of like amount each, one of whom must be local to the satisfaction of the learned ACJM Basirhat, North 24 Parganas on condition that the petitioner shall appear before the trial court on every date of hearing and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event he fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel his bail automatically without reference to this court.

The application being CRM (DB) 2309 of 2023 is disposed of.

**(Gaurang Kanth, J.)**

**(Joymalya Bagchi, J.)**