

17.08.2023
Sl. No.28
akd
[ALLOWED]

C. R. M. (DB) 2884 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 12.07.2023 in connection with Swarupnagar Police Station Case No. 679 of 2022 dated 06.07.2022 under Section 14A(b) of the Foreigners Act and Section 12 of the Passport Act. (G.R. Case No.2875 of 2022)

And

In Re: ***Dinesh Mondal***

... .. Petitioner

Mr. Sumanta Chakraborty
Ms. Kasturi Dutta

... .. for the petitioner

Mr. Joydeep Roy .. Jr. Govt. Advocate
Ms. Sujata Das

... .. for the State

1. Heard the learned Advocates appearing for both the parties.
2. Report is placed on record. Nothing is placed on record to show the Voter's Identity Card of the petitioner is not genuine.
3. It is contended records are not available. Non-availability of the records at the end of the official authority cannot be attributed to the petitioner.
4. Under such circumstances, we are inclined to enlarge the petitioner on bail.
5. Therefore, the accused/petitioner, namely ***Dinesh Mondal***, be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only), with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Additional Chief Judicial Magistrate, Basirhat, North 24-Parganas subject to condition that the said petitioner shall appear before the trial court on every date of hearing until further orders and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

6. 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.
7. The application for bail, thus, stands allowed.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)