

27.07.2023.
20.
Ct.No.28
as
(Allowed)

C.R.M. (DB) 2968 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Baishnabnagar P. S. Case No.361 of 2023 dated 03.06.2023 under Sections 14(b)/14(c) of the Foreigners Act.

In the matter of : Azad Mia.

.... Petitioner.

Mr. Amitabha Karmakar,
Mr. Arup Kr. Bhowmick.

...for the Petitioner.

Mr. P. K. Datta, Id. A.P.P.,
Mr. Santanu Deb Roy.

...for the State.

Petitioner is in custody for 40 days. He submits he is an Indian national. He prays for bail.

Learned Advocate for the State opposes the bail prayer. He submits petitioner gave shelter to foreign nationals who illegally entered the country.

We have considered the materials on record. Foreign nationals have been arrested. Admittedly, petitioner is an Indian national.

Keeping in mind the extent of complicity of the petitioner in the alleged crime, we are inclined to grant bail to the petitioner.

Accordingly, the petitioner viz., Azad Mia shall 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 Chief Judicial Magistrate, Malda subject to condition that he 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.

In the event the petitioner fails to appear before the Trial Court without any justifiable cause, the trial Court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

The application for bail is, thus disposed of.

(Ajay Kumar Gupta,J.)

(Joymalya Bagchi, J.)