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C.R.M. (SB) 183 of 2023

In Re: An application under Section 439 of the Code of Criminal Procedure, 1973 filed in connection with Bagdah Police Station Case No.439 of 2023 dated 22.06.2023 under Section 14 of the Foreigners Act, 1946;

Hafija alias Hafija Begum
Versus
The State of West Bengal

Mr. Susnigdho Bhattacharyya.
...for the petitioner.

Mr. Prasun Kumar Dutta
Mr. Santanu Deb Roy.
...for the State.

The application for bail has been preferred in terms of Section 14 of the Foreigners Act in connection with Bagdah Police Station Case No.439 of 2023 dated 22.06.2023.

Learned advocate appearing for the petitioner has drawn the attention of this Court to the order dated 25th August, 2023 wherein the order of learned Additional District and Sessions Judge, 1st Court, Bongaon, North 24 Parganas has recorded that an endeavour was attempted on the part of the petitioner by way of filing requisite documents for verification of the competent authority and the same was dismissed as the learned public prosecutor submitted that the charge-sheet has already been filed before the competent court.

Petitioner is granted liberty to file relevant documents in support of her citizenship.

Jurisdictional court is directed to send the same for

enquiry and ascertain the genuinity of the citizenship of the petitioner. The concerned court after receipt of the report will take a decision whether the petitioner should be granted bail or her detention in further custody is justified.

If the application is filed within a week from date, the learned trial court would at least dispose of or insist on completion of the enquiry within 45 days and thereafter consider the application for bail.

With the aforesaid observations, CRM (SB) 183 of 2023 is disposed of.

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 of all requisite formalities.

(Tirthankar Ghosh, J.)