

29.09.2023
Sl. No.32
akd
[Rejected]

C. R. M. (DB) 3762 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 21.09.2023 in connection with Swarupnagar Police Station Case No.1101 of 2022 dated 13.11.2022 under Section 14A(b) of the Foreigners Act and Section 12 of the Passport Act. (G.R. Case No.5001 of 2022)

And

In Re: ***Mithun Sana***

... .. Petitioner

Mr. Satadru Lahiri
Mr. Safdar Azam
Mr. Syed Wasim Faruque
Mr. Jyotirmoy Talukdar

... .. for the petitioner

Mr. Prasun Kumar Datta .. Id. Addl. Public Prosecutor
Mr. Santanu Deb Roy

... .. for the State

1. It is submitted on behalf of the petitioner that he is an Indian national. He has relied on his Aadhaar card in support of his contention.
2. In view of the provisions of the Aadhaar Act, the Aadhaar card is not a proof of citizenship.
3. Hence, we are not inclined to rely on the said document in support of the plea of citizenship of the petitioner.
4. We have considered the materials on record. In view of the nature of offence, we are not inclined to grant bail to the petitioner at this stage.
5. The application for bail is thus rejected.
6. Trial court is directed to expedite the trial and conclude the same at an early date.
7. Parties shall communicate a copy of this order to the trial court for due compliance.

(Partha Sarathi Sen, J.)

(Joymalya Bagchi, J.)

