

18.10.2023
Serial no. 4
[G.S.D]

CRM (SB) 209 of 2023

In re : An Application for **Bail** under Section **439** of the Code of Criminal Procedure in connection with Swarup Nagar P.S. Case No. 419 of 2022 dated 24.4.2022 under Section 14 of the Foreigners Act.

-And-

In the matter of : Ripon Sardar @ Ripan Sardhar
... .. Petitioner

Mr. Kallol Guha Thakurata
Mr. Md. Wasim Rahaman

... .. For the Petitioner

Mr. Bidyut Kr. Roy
Ms. Rita Datta

... ..*For the State*

Earlier, an application for bail was considered by a Division Bench of this Court.

Ld. advocate submits that charge-sheet has been submitted under Section 14 of the Foreigners Act.

The Prosecution case in a nutshell is that the BSF on duty apprehended the present petitioner when he tried to cross the Indo-Bangladesh Border illegally from the Bangladesh side.

Ld. Advocate submits that there are documents in the custody of the present petitioner revealing that he is an Indian citizen. Although, earlier enquiry was carried out but the same was not found to be genuine.

Having regard to the fact that the present petitioner is in custody, I direct that the petitioner, in course of the trial, would produce such documents. The Id. Magistrate conducting the trial would check the authenticity of the same and arrive at its findings at the end of the trial.

Hence, the prayer for bail of the present petitioner, at this stage, is **Rejected**.

With the aforesaid observations, CRM(SB) 209 of 2023 is disposed of.

Pending application, if any, is also disposed of.

Parties to act on a server copy of this order duly collected from the official website of the Hon'ble High Court, Calcutta.

Urgent Photostat certified copy of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

(Tirthankar Ghosh, J.)