

08.11.2023
1(SL)
ssd/AB
Ct. No.7

CRM(SB) 215 of 2023

In Re : An application under Section 439 of the Code of Criminal Procedure filed on 01.11.2023 in connection with Swarup Nagar Police Station Case No. 419 / 2022 dated 24/4/2022 under Section 14 of the Foreigners Act, 1946.

In the matter of : Ripon Sardar @ Ripan Sardhar

Mr. Kallol Guha Thakurata
Mr. Ashis Kumar Dutta ... for the petitioner

Mr. P. K. Datta
Mr. Santanu Kumar Roy
... for the State

1. Heard the learned counsel representing the petitioner and the learned counsel representing the State.
2. After investigation charge sheet has been submitted under Section 14 of the Foreigners Act against the accused person who is claiming to be a citizen of this country by birth.
3. My attention is drawn to the Birth Certificate of the accused petitioner and it appears that though the petitioner is claiming to have born on 3rd July, 1989 but this certificate was issued on 20th September, 2023.
4. Under such circumstances, I am not inclined to admit the accused petitioner on bail at this stage.
5. However, the petitioner will be at liberty to place his case in support of his Indian citizenship before the learned Trial Court at the time of consideration of charge.
6. The C.R.M.(SB) No. 215 of 2023 is, thus, disposed of.

(Siddhartha Roy Chowdhury, J.)

