

12.05.2023
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IN THE HIGH COURT AT CALCUTTA
CIRCUIT BENCH AT JALPAIGURI
CRIMINAL MISCELLANEOUS JURISDICTION

C.R.M.(SB) 7 of 2023

In the Matter of : Khairul Amin & Anr.

.... petitioners.

Mr. Debajit Kundu
Mr. Shubhankar Dutta

.....For the petitioners.

Mr. A.S. Chakraborty, Ld. A.P.P.,
Mr. Biswarup Ray

.....For the State.

This is an application for grant of bail filed under Section 439 of the Code of Criminal Procedure, 1973 in connection with Maynaguri Police Station Case No. 495 of 2022 dated 15.12.2022 under Section 14(A) of the Foreigners Act.

The learned counsel for the petitioners submits that they are siblings. The petitioners are the Bangladeshi citizens and have entered into Jabramali under the jurisdiction of Maynaguri Police Station. The charge sheet has been filed on 25.01.2021 based on the complaint dated 14.12.2022. Since investigation has been completed the petitioners sought for an order of bail.

The learned counsel for the State submits that the petitioners are originally the citizens of Myanmar who had illegally claimed themselves to be Bangladeshi citizens and thereafter entered into Jabramali and therefore, prayed for rejection of bail prayer.

Admittedly, the petitioners entered into the territory of India without valid documents like passport, visa and there is distortion with regard to the original citizenship of the petitioners.

Under the facts and circumstances of the case and the possibility of absconsion, the prayer for bail is considered and rejected.

The application for bail [CRM (SB) 7 of 2023] is, accordingly, disposed of.

(ANANYA BANDYOPADHYAY, J.)