

24.08.2023
Court No.1
Item No.19
(sg/KS)

CRM (DB) 475 of 2023

And

Mr. Hillol Saha Podder
.....for the Petitioner

1. From the submissions made on behalf of the parties and the materials shown to us, it appears that the petitioner was admittedly arrested before expiry of the petitioner's Indian Visa. The petitioner's Indian Visa was due to expire on 29th April, 2023, whereas the petitioner was arrested on 14th April, 2023. The ground for the petitioner's arrest was that the petitioner had forged the Aadhar Card. However, we find no evidence in the Case Diary of the prosecution arriving at any conclusion with regard to the forgery.
2. On the other hand, there is no definite statement from the Indian authorities with regard to the alleged forgery or from the Bangladesh Embassy to which a

prayer was made has also not got back to the prosecution. The prosecution has taken no follow up action on the lack of information as to the alleged forgery.

3. We are hence of the view that the petitioner's continued detention is not required.
4. The prayer for bail is accordingly granted.
5. The petitioner shall accordingly be released on bail upon furnishing a bond of Rs. 10,000/- (Rupees ten thousand only) with two sureties of like amount each, one of who must be local, to the satisfaction of the learned Assistant Sessions Judge, Siliguri. The petitioner shall not induce witnesses or influence them or tamper with the evidence. The petitioner shall also make himself available for the trial as and when the petitioner is required and shall also not leave the jurisdiction of the concerned police station without leave of the concerned authorities.
6. CRM (DB) 475 of 2023 is accordingly allowed and disposed of in terms of the above.

(PRASENJIT BISWAS, J.)

(MOUSHUMI BHATTACHARYA, J.)