

CRM (DB) 1630 of 2024

In re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Chitpur Police Station** Case No. **22 of 2023** dated **04.11.2023** under Sections **419/420/465/471/34/120B** of the Indian Penal Code and **Section 14A(a) and (b) of** Foreigners Act **and Section 14 (1A)** of the Passport Act.

- A n d -

In the matter of : Wahid Khan

.... Petitioner.

Md. Shahjahan Hossain,
Mr. S. Sultana,
Mr. Prithwiraj Biswas,

... For the Petitioner.

Mrs. Amrita Gour,
Mrs. Trisha Rakshit,

... For the State.

The petitioner says that he is in custody for about 268 days. He has a valid Indian passport. He has been booked wrongly under the provisions of the Foreigners Act. He prays for bail.

Learned Advocate for the State opposes the prayer. She says that charge-sheet has been issued against the petitioner under Section 14A (a) and (b) of the Foreigners Act and Section 14(1A) of the Passport Act. The documents on the basis of which the petitioner claims to have obtained an Indian passport and other Indian identification documents, are all forged. This is disputed by learned Advocate for the petitioner.

From the materials in the case diary and from the charge sheet which has been submitted, there appears to be prima facie case against the petitioner under the provisions of the Foreigners

Act. We are, therefore, not inclined to exercise our discretion in favour of the petitioner, at this stage.

Learned Advocate for the State says that charges have been framed. June 14, 2024 has been fixed as the date for recording of evidence. Since the petitioner has been in custody for a considerable period of time, we request the learned Trial Court to expedite the trial to the extent the business of the Court may permit and bring the same to its logical conclusion at the earliest.

CRM (DB) 1630 of 2024 is, thus, disposed of.

All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Apurba Sinha Ray, J.)

(Arijit Banerjee, J.)