

19.07.2024
Item no. 17.
Court No.28.
AB
(Allowed)

CRM (DB) 1759 of 2024

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure in connection with Swarupnagar Police Station Case No.85 of 2024 Dated 17.02.2024 under Section 14A(b) of the Foreigners Act and Section 12 of the Passport Act

And

In the matter of : Dipti Sen

.....Petitioner.

Mr. Satadru Lahiri
Mr. Jyotirmoy Talukdarfor the Petitioner.

Mr. Provas Bhattacharya
Mr. Akash Gangulyfor the State.

Order dictated in open Court by Apurba Sinha Ray, J.

Learned Counsel appearing for the petitioner has submitted that the petitioner is the permanent resident of the address given in the cause title of the petition and there are reports to show that the EPIC Card produced by the petitioner is genuine and authentic. She may be granted bail on any condition.

Learned Counsel appearing for the State has submitted that as per the direction of this Court, an enquiry was conducted regarding the permanent residence of the present petitioner and it reveals that the present petitioner is a permanent resident of Village – Nayagopal Ganj, P.O. and P.S. Bongaon, District North 24 Parganas. However, according to him, the EPIC Card, which is claimed to be genuine, was issued on the basis of a birth certificate issued by the Hatisala Gram Panchayet-II.

However, considering the material on record, we are inclined to allow the petitioner's prayer for bail, also keeping in mind that investigation is complete.

Accordingly, we direct that the petitioner, namely **Dipti Sen** shall be released on bail upon furnishing a bond of Rs.10,000/-, with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Additional Chief Judicial Magistrate, Basirhat, and on further conditions that she shall not leave the jurisdiction of the District North 24 Parganas without the leave of the learned Trial Court and shall cooperate with the investigation until further orders.

The petitioner shall appear before the trial court on every date of hearing until further orders and shall not intimidate the witnesses and/or tamper with evidence and/or commit any cognizable offence in any manner whatsoever.

In the event the petitioner fails to adhere to any of the conditions stipulated above without justifiable cause, the trial court shall be at liberty to cancel the petitioner's bail in accordance with law without further reference to this Court.

The application for bail is, accordingly, allowed.

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

(Arijit Banerjee, J.)

(Apurba Sinha Ray, J.)

