

16.
21-08-2024
(ct. no.28)
debajyoti
(allowed)

CRM (DB) 1763 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.560 of 2023 dated 11-09-2023 under Section 14A(b) of the Foreigners Act read with Section 12 of the Passports Act.

- A n d -

**In the matter of : Mohammad Rahid Muslaman @ Md.
Rasid Hossain @ Md. Rahid Hossen
.... Petitioner.**

Mr. Ali Ahasan Alamgir,
Ms. Soma Mal,
Ms. Rabia Khatoon

... For the Petitioner.

Mr. Debasish Roy, learned Public Prosecutor,
Mr. Manoranjan Mahata

... For the State.

Mr. Arijit Majumdar

... For U.O.I.

Dictated by Arijit Banerjee, J.

Read orders dated July 02, 2024, July 04, 2024 and July 19, 2024.

A report dated July 24, 2024 has been filed in Court today issued by the Ministry of Foreign Affairs, Government of Nepal. Let that report be taken on record. The report certifies that the petitioner is a Nepalese citizen.

We are told that a Nepalese citizen does not require a Visa to enter this country. Therefore, we see no justification of detaining the petitioner in custody any further.

Accordingly, we direct that the petitioner, namely, **Mohammad Rahid Muslaman @ Md. Rasid Hossain @ Md. Rahid Hossen**, shall be released on bail upon furnishing a personal bond of Rs.10,000/- (Rupees Ten Thousand), with

two sureties of like amount each, to the satisfaction of learned Additional Chief Judicial Magistrate, Basirhat. The petitioner shall appear before the learned trial Court on every date of hearing until further orders and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to comply with any of the conditions stipulated above, the trial Court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

The application for bail being CRM (DB) 1763 of 2024 is, thus, **allowed**.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

Criminal Section is directed to supply certified copies of this order to the parties, if applied for, upon compliance of all necessary formalities.

(Arijit Banerjee, J.)

(Apurba Sinha Ray, J.)