

27.08.2024

Item No.3

Ct.No.34

b.das

Allowed

C.R.M. (SB) 114 of 2024

In Re : An Application for bail under Section 439 of the Code of Criminal Procedure/Section 483 of Bharatiya Nagarik Suraksha Sanhita filed in connection with Bagdah Police Station Case No. 489 of 2024 dated 27.05.2024 under Section 14 of Foreigners Act.

And

In Re : **Sohagi Shekh @ Shohaghi Salim Shaikh**
... Petitioner.

Mr. Malay Bhattacharyya
Mr. Subhrajyoti Ghosh ... for the Petitioner.

Mr. Manoranjan Mahata ... For the State.

Report submitted by the State is taken on record.

Learned counsel for the petitioner submits that charge sheet has been submitted against the petitioner under Section 14 of the Foreigners Act despite the fact that the bank details and EPIC Card submitted by the petitioner were verified by the investigating officer of the case and found to be correct and genuine.

Learned counsel for the State produces the Case Diary and opposes the prayer.

It appears that charge sheet has been submitted against the petitioner under Section 14 of the Foreigners Act. The petitioner is in custody since 27th May, 2024. Reports submitted by the Assistant Sub-Inspector, Bagdah P.S., 24 Parganas (North) on 19th July, 2024 and 24th July, 2024

respectively demonstrate that the bank pass book and EPIC card have been verified and found to be correct and genuine.

In view of the above, further detention of the petitioner is not required for the purpose of custodial interrogation.

Accordingly, the prayer for bail is allowed.

The petitioner, namely, **Sohagi Shekh @ Shohaghi Salim Shaikh** shall be released on bail upon furnishing bond of Rs.10,000/- (Rupees Ten Thousand only), with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Additional Chief Judicial Magistrate, Bagdah, 24 Parganas (North) subject to condition that he shall appear before the trial court on every date of hearing until further orders and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to appear before the trial court without any justifiable cause, 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 (SB) 114 of 2024 is thus disposed of.

Case Diary be returned.

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

Urgent certified website copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Suvra Ghosh, J.)