

22.10.2024
Sl. No.68
akd/AP
[Rejected]

C. R. M. (DB) 3613 of 2024

In Re: An application for bail under Section 439 of the Code of Criminal Procedure corresponding to Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed on 18.10.2024 in connection with Chitpur GRP Case No.22 of 2023 dated 04.11.2023 under Sections 419/420/465/471/34/120B of the Indian Penal Code and Sections 14A(a) & (b) of the Foreigners Act read with Section 12(1A) of the Passport Act. (G.R. Case No.298 of 2023)

And

In Re: ***Abdul Rahaman***

... .. Petitioner

Mr. Rameez Alam

... .. for the petitioner

Mr. Debasis Ray .. Id. Public Prosecutor

Ms. Trisha Rakshit

... .. for the State

1. This is an application for bail under Section 439 of the Code of Criminal Procedure corresponding to Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in respect of Chitpur GRP Case No.22 of 2023 dated 04.11.2023 under Sections 419/420/465/471/34/120B of the Indian Penal Code and Sections 14A(a) & (b) of the Foreigners Act read with Section 12(1A) of the Passport Act.

2. Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner is renewing his prayer for bail. The allegation is that of forging Indian passport illegally and entering into India. The petitioner is in custody for about 353 days. Yet, till date trial has not commenced.

3. Learned Public Prosecutor relies on the case diary and opposes the prayer for bail. He submits that about 23 witnesses are mentioned in the charge sheet. The prosecution would make all endeavour to

conclude examination of witnesses within ten months from the next date of hearing, which is on 20.12.2024.

4. In view of the incriminating materials available in the case diary and the assertion of the State that they would make all endeavour to conclude the examination of witnesses within ten months of hearing before the trial court, we are not inclined to allow the application for bail of the petitioner at this stage.

5. The application for bail is thus rejected

6. Trial be expedited accordingly.

7. Criminal Section is directed to provide certified copy of this order, if applied for, to the parties upon completion of requisite formalities.

(Biswaroop Chowdhury, J.)

(Jay Sengupta, J.)