

14.11.2024

Item No.4

Ct.No.34

b.das

Allowed

C.R.M. (SB) 151 of 2024

In Re : An Application for bail under Section 483 of the BNSS, 2023 filed in connection with Bagdah Police Station Case No.861 of 2024 dated 14.09.2024 under Sections 14/14C of the Foreigners Act, 1946.

And

In Re : **Barsha Mondal**

... Petitioner.

Mr. Susnigdha Bhattacharya

Ms. Arundhati Barai

... for the Petitioner.

Mr. Arijit Ganguly

Ms. Sujata Das

... For the State.

Heard learned counsels for the parties.

Learned counsel for the petitioner submits that allegation against the petitioner is under Sections 14/14C of the Foreigners Act and she is in custody for about two months. The petitioner has submitted her birth certificate to prove that she is an Indian citizen.

Learned counsel for the State submits that charge sheet has been submitted. Learned counsel further submits that the birth certificate of the petitioner has been verified and is found to be genuine, but the residents of the locale cannot identify the petitioner.

Be that as it may, since admittedly the birth certificate of the petitioner is genuine and it appears from the said

certificate that the petitioner was born in Sagarpur, P.O. & P.S. Bagdah, West Bengal, allegation under Sections 14/14C of the Foreigners Act is not attracted against her. Further detention of the petitioner is not required for custodial interrogation.

Accordingly, prayer for bail is allowed.

The petitioner, **Barsha Mondal** 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, Bongaon, North 24 Parganas subject to condition that the petitioner shall appear before the learned Trial Court on every date of hearing and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to appear before the learned Trial Court on any date without any justifiable cause, the learned Trial Court shall be at liberty to cancel her bail in accordance with law without further reference to this Court.

The application for bail, being CRM (SB) 151 of 2024, is 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.)