

0909
2024

MONDAY

COURT : 01
ITEM : 05
MATTER : 439
STATUS : REJECTED
BENCH ID : 1430
TRANSCRIBER : NANDY

**CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI
CRIMINAL MISCELLANEOUS JURISDICTION**

CRM (DB) 333 of 2024

In Re:- An application for **Bail** under section **439** of the Code of Criminal Procedure filed on July 15, 2024 in connection with Kuchlibari Police Station Case No. 121 of 2023 dated 29.08.2023 under Sections 14A/14C of the Foreigners Act.

And

In the matter of : **Ratan Thakur**

.....Petitioner

Ms. Srishthi Sarkar, Advocate

.....for the Petitioner

Mr. Saikat Chatterjee, Advocate

Mr. Dhiman Sil, Advocate

.....for the State

1. As per our order dated 02.09.2024, liberty is granted to the petitioner to file supplementary affidavit disclosing other documents which according to the petitioner may throw light on the question whether he is a citizen of this Country or a foreigner.
2. Learned Counsel for the State has submitted one report received from the Additional District Magistrate (Election), Nadia disclosing that the relevant EPIC Number of the petitioner appearing in the Voter Card is not found in the concerned part of the Electoral Roll published in the year 2021 to 2024. It is also reported that after verification, no such EPIC Number is found.
3. Learned Advocate for the petitioner has submitted that the petitioner has his possession School Leaving Certificate and L.R. Khatian. But after going through the entire materials-on-record, we do not find any convincing document in support of the Indian citizenship

of the petitioner and as such after considering the papers and report submitted by the ADM (Election), Nadia, we are inclined to reject the prayer for bail.

4. Accordingly, the prayer for bail is **rejected**.
5. The application being **CRM (DB) 333 of 2024** is **dismissed**.
6. Let the report dated 06.09.2024 submitted by the ADM (Election), Nadia be kept with the record.

(Harish Tandon, J)

(Apurba Sinha Ray, J)