

19.
20-03-2025
(ct. no.29)
debajyoti
(rejected)

CRM (DB) 381 of 2025

In re: An application for bail under Section 439 of the Code of Criminal Procedure/483 of the Bhartiya Nagarik Suraksha Sanhita in connection with Dum Dum Police Station Case No.514 of 2023 dated 14-10-2023 under Sections 493/376/341/323/325/313/354/406/419/420/506/120B/34 of the Indian Penal Code and Section 14 of the Foreigners Act.

- A n d -

**In the matter of : Md. Hafiz Sardar @ Md. Hafizur
Rahaman
.... Petitioner.**

Mr. Debasis Kar,
Mr. Husen Mustafi

... For the Petitioner.

Mr. Rana Mukherjee, learned APP,
Ms. Rituparna Saha

... For the State.

Ms. Sibangi Chattopadhyay

... For the defacto complainant.
(through Legal Aid)

Dictated by Arijit Banerjee, J.

1. The petitioner says that he is an Indian national. His EPIC Card has been found to be a genuine document by the Investigating Officer as would appear from the charge sheet filed by the Investigating Officer. He is in custody for about 1 year 2 months. Beyond the case being committed, nothing has progressed in the trial. He prays for bail.

2. Opposing the prayer, learned Additional Public Prosecutor, draws our attention to the seizure list. We see that two Bangladeshi Passports in the name of the petitioner were seized from him. We also find from the material in the Case Diary that a certificate dated January 13, 2024 has been issued by the office of the Bithari Hakimpur Gram Panchayat

to the effect that the residential certificate of this petitioner which was sent to the Panchayat for verification was not issued from the Panchayat Office. Learned Additional Public Prosecutor tells us on the basis of such fake residential certificate, the petitioner procured other documents including the EPIC Card.

3. In view of *prima facie* incriminating materials against the petitioner which are of serious nature, we are not inclined to entertain his prayer for bail, at this stage.

4. The application for bail is, this, **dismissed**.

5. However, considering the period of detention of the petitioner, we direct the learned trial Court to expedite the trial and conclude the same on an early date without granting unnecessary adjournments to either of the parties and, if necessary, by fixing frequent schedules for examination of witnesses.

(Arijit Banerjee, J.)

(Apurba Sinha Ray, J.)