

28.04.2025

47

jb.

jdt.

Allowed

C.R.M. (DB) 653 of 2025

In Re : An Application under Section 439 of the Code of Criminal Procedure/ under 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Swarupnagar Police Station Case No. 129 of 2024 dated 04.03.2024 under Section 14 A (b) of Foreigners Act and Section 12 of Passport Act.

And

In Re : Amena Bibi

Md. Jannat Ul Firdous

... For the Petitioner.

Mr. Avishek Sinha

... For the State.

Inadvertent error has crept into the order passed on 8th April, 2025. In the cause title of the order CRM(M) 653 of 2025 be read as CRM (DB) 653 of 2025.

Department is directed to incorporate necessary correction accordingly.

This order be treated as part of the order passed on 8th April, 2025.

Report submitted by the State is taken on record.

The petitioner is in custody for more than a year. Though Aadhar Card is yet to be verified, it appears her ration card is found to be genuine. The EPIC card of her son Babu Sardar is also found to be genuine. The parents of Babu Sardar are not enlisted in the electoral roll. They appear to be residing at the given address, upon proper verification.

In view of the above, this Court is inclined to hold that further detention of the petitioner is not required.

Accordingly, the prayer for bail is allowed.

The petitioner namely Amena Bibi 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, Basirhat North 24 Parganas subject to condition that she shall appear before the learned trial Court on every date of hearing fixed by the learned trial Court and she shall not tamper with evidence or intimidate witnesses in any manner whatsoever.

In the event the petitioner fails to appear before the learned trial Court on any date fixed for hearing 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 is disposed of.

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.)