

20.05.2025

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jb.

jdt.

Allowed

C.R.M. (DB) 885 of 2025

In Re : An Application under Section 439 of the Code of Criminal Procedure/under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Bagdah Police Station Case No. 1101 of 2024 dated 21.11.2024 under Section 14 of the Foreigners Act.

And

In Re : Swarna Bain & Anr.

Mr. Susnigdho Bhattacharyya
Mrs. Santa Chakraborty Bhattacharyya
... For the Petitioners.

Ms. Manisha Sharma
Mr. Subham Bhakat
... For the State.

Report submitted by the State is taken on record.

It appears that the birth certificates produced by the petitioners before the investigating agency were verified and found to be genuine.

In view of the above, this Court is inclined to hold that further detention of the petitioners is not required and they may be granted bail subject to stringent conditions.

Accordingly, the prayer for bail is allowed.

The petitioners namely Swarna Bain and Sourav Bain shall be released on bail upon furnishing bond of Rs.10,000/- (Rupees Ten Thousand only) each, 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 they shall appear before the learned trial

Court on every date of hearing fixed by the learned trial Court and shall not tamper with evidence or intimidate witnesses in any manner whatsoever.

In the event the petitioners fail 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 their 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.)