

21.04.2025

36

jb.

jdt.

Allowed

C.R.M. (M) 149 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 Sealdah G.R.P. Police Station Case No. 182 of 2024 dated September 27, 2024 under Sections 14A(b)/14C of the Foreigners Act.

And

In Re : Mithun Khan

... Petitioner.

Mr. Bibaswan Bhattacharya

Ms. Sangita Paul

... For the Petitioner.

Atif Ahmed Siddiqui

... For the State.

Heard learned counsels for the parties.

The petitioner is in custody for about 6 months and prays for bail.

The petitioner has been accused of harbouring a Bangladeshi national in his house as a tenant and not disclosing the said fact before the police. The Bangladeshi national has pleaded guilty and has been convicted.

Upon consideration of the material in the case diary and also that charge sheet has been submitted, this Court is of the view that further detention of the petitioner is not required for the purpose of custodial interrogation. He may be released on bail.

Accordingly, the prayer for bail is allowed.

The petitioner namely Mithun Khan 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, Sealdah subject to condition that he shall appear

before the learned trial Court on every date of hearing fixed by the learned trial Court and he shall not tamper with the evidence or intimidate the 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 his bail in accordance with law without further reference to this Court.

The application for bail 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.)