

01.12.2025

Item No.45

Ct.No.35

dc.

Rejected

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION

C.R.M. (R) 99 of 2025

In Re : An Application for bail under Section 439 of the Code of Criminal Procedure, 1973 corresponding to Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Bagdah Police Station Case No. 126 of 2024 dated 08.02.2024 under Section 14 of the Foreigners Act, 1946.

And

In Re : **Mohammad Hossein alias**
Mohammad Hossein Peerfalak

... Petitioner.

Mr. Susnigdho Bhattacharyya,
Ms. Sarmistha De,
Mr. Gourav Rohilla

... For the Petitioner.

Mr. Debabrata Chatterjee,
Mr. S. Balial

... For the State.

Report submitted by the Registrar General, High Court, Calcutta be kept with the record.

I have taken into account the communications made and the fact sheet of the present case. Petitioner has claimed for parity in respect of other accused persons who have been granted bail. I have taken into account the circumstances wherein the petitioner along with others was involved in a case arising out of Vasant Kunj North Police Station. The passport was impounded by the learned Magistrate of Patiala House Court.

Petitioner has been implicated in connection with the present case arising out of Bagdah Police Station Case No. 126 of 2024 dated 08.02.2024. There are two other accused

persons, according to the petitioner, who have been granted bail.

I have considered the merits of the case and the factum that the petitioner has been charged under Section 14 of the Foreigners Act. Having considered that the petitioner is a resident of Iran and after getting bail from the case at Patiala House Court, petitioner has reached up to Bagdah, I am not inclined to release the petitioner on bail. As such, the prayer for bail of the petitioner is **rejected**.

The application for bail, being CRM (R) 99 of 2025, is, thus, dismissed.

All concerned parties shall act on the server copy of this order duly downloaded from the official *website* of this Court.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Tirthankar Ghosh, J.)