

03.12.2025
Serial no. 120
[G.S.D]

CRM (M) 1648 of 2025

In re : An Application for **Bail** under Section **439** of the Code of Criminal Procedure, 1973/under Section 483 of the BNSS, 2023 in connection with **SC Case No. 155 of 2025 arising out of Petrapole PS Case No. 19 of 2025 dated 07.03.2025 u/s 319(2)/336(3)/338/340(2) of the BNS, 2023 read with 14A (b) of the Foreigner’s Act, 1946.**
-And-

In the matter of : Shah Arman Miazhi @ Shah Arman
... ... Petitioner(s)

Mr. Soumya Nag
Mr. Rajdeep Sengupta

... for the Petitioner(s)

Mr. Sanjay Banerjee
Ms. Puja G.

... for the State-respondent(s)

Learned advocate for the petitioner submits that the petitioner is in custody for eight and half months. The petitioner claims to be an Indian national who has been granted VISA by the Bangladesh Embassy. It has also been submitted that the petitioner was intercepted at the time of immigration.

According to the learned advocate, the petitioner has been paying income tax India for the least three to four years and he has all the documents in his custody issued by the Government of India.

However, it has been claimed by the investigating agency that the petitioner is a foreign national.

Learned advocate for the State produced the case diary and has drawn the attention of the court to the documents which have been collected, which reflects that the petitioner is having the citizenship of Bangladesh also.

Having considered the overall circumstances, I am of the opinion that disputed question of facts have arisen, consequently, truth and falsity of the same would be decided in course of the trial, as such, I am not inclined to enlarge the petitioner on bail.

Hence, the prayer for bail of the petitioner is **Rejected.**

Accordingly, CRM(M) 1648 of 2025 is **dismissed.**

Pending application(s), if any, is also disposed of.

Parties to act on a server copy of this order duly collected from the official website of the Hon'ble High Court, Calcutta.

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

(Tirthankar Ghosh, J.)

