

03.11.2025

Item No.22

Ct.No.35

dc.

Rejected

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION

C.R.M. (M) 1795 of 2025

In Re : An Application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Hemnagar Coastal Police Station Case No. 62 of 2024 dated 13.11.2024 under Sections 14A(b)/14C of the Foreigners Act, 1946 and Section 12 of the Passport Act, 1964 (G.R.No. 5024 of 2024).

And

In Re : **Khairul Saikh @ Kherul Sheikh**

... Petitioner.

Mr. Nilanjan Adhikari,
Ms. Oindrila Sinha

... For the Petitioner.

Mr. Bibaswan Bhattacharya,
Mr. Soumadip Saha

... For the State.

Petitioner claims to be an Indian citizen and submits that he has been falsely implicated in connection with the instant case.

Learned advocate appearing for the State has produced a list of documents which reflects that the Epic Card which was produced, on verification it was found to be fake. In fact, the address which was provided was crosschecked from the concerned police station, but so far as the identity of the petitioner is concerned, Nawda Police Station has communicated that the petitioner is not a resident of the said address.

Having considered the materials which have been collected by the investigating agency, I am of the view that

until and unless the petitioner is able to rebut by documentary evidence before the learned Trial Court, it would not be possible to come to the conclusion in respect of the issues canvassed by the petitioner particularly at this stage.

Accordingly, 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 (M) 1795 of 2025, is, thus, dismissed.

Memo of Evidence so submitted by the learned advocate appearing for the State be kept with the record.

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.)