

68. 17.01.2025
Court
No.29 (Tanmoy)

Allowed

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION

CRM (DB) 3421 of 2024

In Re: - An application for bail under 439 of the Code of Criminal Procedure, 1973 / Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, arising out of **Swarupnagar** Police Station Case No. **111/2024** dated **26.02.2024** under Section **188** of the Indian Penal Code, 1860 read with Sections **14A(b)/14C** of the Foreigners Act, 1946 and Section **12** of the Passports Act, 1967.
And

In the matter of: - **Rajibul Khan**

...petitioner.

Mr. Ali Ahsan Alamgir
Ms. Rabia Khatoon
Ms. Soma Mal
Ms. June Modak

...for the petitioner.

Mr. Rana Mukherjee, APP
Ms. Mamata Jana

...for the State.

Dictated by Apurba Sinha Ray, J.

1. Learned Counsel for the petitioner submits that the petitioner is in custody for 327 days. The petitioner has submitted his Voter ID card, PAN card and Aadhaar card to show that he is an Indian national. As the investigation is complete, he may be enlarged on bail on any condition that this Court may decide.
2. Learned Counsel for the State submits that as per report the Voter ID card submitted by the petitioner is genuine. From Online verification of Aadhaar card it is also found to be genuine. However, the Income Tax Authority has refused to share the details of the PAN card of the petitioner. Learned Counsel for the State left the matter to the discretion of this Court.

3. We have considered the materials on record. It has been reported that the EPIC card of the petitioner is genuine and valid. As the investigation is complete, we are inclined to allow the prayer for bail of the present petitioner on certain conditions.
4. Accordingly, we direct that the petitioner, namely, **Rajibul Khan** shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand), with two registered sureties of like amount each, to the satisfaction of the learned Additional Chief Judicial Magistrate, Basirhat, North 24-Parganas, subject to condition that the petitioner shall appear before the Trial Court on each and every date of substantive hearing subject to the provisions of Section 317 of the Code of Criminal Procedure, 1973 / Section 355 of Bharatiya Nagarik Suraksha Sanhita, 2023, and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever.
5. In the event the petitioner fails to adhere to any of the conditions stipulated above without any justifiable cause, the Trial Court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.
6. The application for bail being CRM (DB) 3421 of 2024 is accordingly disposed of.
7. Criminal Section is directed to supply urgent photostat certified copies of this order to the parties, if applied for, upon compliance with all requisite formalities.

(Apurba Sinha Ray, J.)

(Arijit Banerjee, J.)