

D/L 28
04.12.2025

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dismissed

C.R.M. (M) 2549 of 2025

In Re: An application for Bail under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Hemnagar Costal Police Station Case No.31 of 2025 dated 26.06.2025 under Sections 14A(B)/14C of Foreigners Act, 1946 and Section 12 of Passport's Act;

Sahanara Bibi
Versus
The State of West Bengal

Mr. Nilanjan Adhikari
Ms. Oindrila Sinha.
...for the petitioner.

Mr. Partha Pratim Das
Mr. Parvej Anam.
...for the State.

Learned advocate appearing for the petitioner submits that the petitioner is having documents in support of being an Indian citizen. To that effect, photostat copies of the Aadhaar Card, Epic Card and PAN Card have been enclosed. Other documents have also been enclosed and it has been claimed that the petitioner is in custody for 161 days. Other accused persons have been released on bail, according to the petitioner.

Learned advocate appearing for the State, on the other hand, submits that the charge-sheet has been submitted but in the case diary there is no document to substantiate that the petitioner is a national of Bangladesh although the petitioner was intercepted at the border along with others.

In view of the submissions advanced on behalf of the State, I direct the learned trial court in seisin of the issue to

conduct an enquiry regarding the authenticity of the photostat copies of the Aadhaar Card, Epic Card and PAN Card which have been enclosed along with the petition. To that effect, learned ACJM, Basirhat will direct the Additional SP-in-Charge of Hemnagar Costal Police Station to conduct an enquiry and submit a report preferably in respect of the Epic Card and PAN Card within a period of 21 days.

The petitioner is directed to inform this order to the learned Magistrate who would comply with the same. In case the genuinity of the Epic Card has been found to be correct, learned Magistrate would be at liberty to release the petitioner on bail on such terms and conditions as he deems fit and proper.

With the aforesaid observations, CRM(M) 2549 of 2025 is disposed of.

All 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 of all requisite formalities.

(Tirthankar Ghosh, J.)