

23.12.2025

Item No.62

Ct.No.35

dc.

Rejected

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION**

C.R.M. (M) 2729 of 2025

In Re : An Application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Petrapole Police Station Case No. 156 of 2024 dated 23.11.2024 under Sections 319(2)/338/336(3)/340(2) of the Bharatiya Nyaya Sanhita, 2023 and Section 14A(b) of the Foreigners Act.

And

In Re : **Bitan Barai @ Bitan Kumar Barai**

... Petitioner.

Mr. Gourab Kumar Nath,
Mr. Tamal Singha Roy

... For the Petitioner.

Mr. Bitasok Banerjee,
Mr. Atanu Ghosh

... For the State.

Learned advocate appearing for the petitioner submits that the petitioner is in custody for 1 year 1 month and he has documents in his custody to establish that he is an Indian citizen. Petitioner prays for bail on any stringent condition.

Learned advocate appearing for the State, on the other hand, opposes the prayer for bail and submits that there are documents in the case diary which *prima facie* reflect that the petitioner is a Bangladeshi national. To that effect, learned advocate has drawn the attention of the Court to the relevant documents and submitted that each and every document was post 2015 and the petitioner surreptitiously entered India in the year 2014.

Be that as it may, trial of the case is in progress. At this stage, I am reluctant to release the petitioner on bail. As such, the prayer for bail of the petitioner is **rejected**.

The application for bail, being CRM (M) 2729 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.)