

10.02.2026
Court No.28
Item No.68
ssi

CRM (A) 322 of 2026

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Suraksha Nagarik Sanhita in connection with Islampur Police Station Case No. **1126 of 2025** dated **31.10.2025** under Sections **319 (2)/336(3)/338/340 (2)** of the BNS 2023 and Section 21/24 of Immigration and Foreigners Act.

And

In the matter of: **Jotin Paul @ Jatin Paul**

.... Petitioner.

Mr. Tarunjyoti Tiwary
Mr. Atis Kumar Biswas
Mrs. Jyoti Agarwal

...for the petitioner

Mr. Iqbal Kabir
Mr. Arup Sarkar

..for the State

Learned counsel appearing on behalf of the petitioner submits as follows. The only allegation against the petitioner is that an alleged Bangladeshi national has used the name of the present petitioner as the father of the said person. The petitioner is very much an Indian Citizen. Reliance is placed on relevant documents in this regard. Even, if the alleged Bangladeshi National is found to have committed any offence that was earlier punishable under the Foreigners Act, in view of S.O. 3997-E dated 1st September, 2025 issued by the Ministry of Home Affairs, the provisions of the said Foreigners Act would not apply to the said accused as he is a minority in Bangladesh.

Learned counsel for the State opposes the prayer for anticipatory bail. There are statements of witnesses which say that the said co-accused was staying at the house of the petitioner. However, applications have been made before the concerned authorities who had issued passport and Aadhar Card to the said co-accused for

necessary information as to whether the petitioner had allowed his documents to be used for issuance of those false documents. Supplementary charge sheet would be filed.

As of now, the only material available against the petitioner is the statement of certain neighbours and some documents showing that the petitioner's name has been given as the father of the said co-accused.

Considering the above and the other materials available in the case diary and the fact that the petitioner is an Indian national, I am inclined to grant anticipatory bail to the petitioner.

Accordingly, the application for anticipatory bail of the petitioner is allowed.

In the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- with two sureties of like amount each, one of whom must be local, to the satisfaction of the Arresting Officer and also be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 corresponding to Section 482(2) of the BNSS, 2023 and on further conditions that the petitioner shall co-operate with the investigation and shall not threaten or intimidate the witnesses. The petitioner shall meet the I.O. once a fortnight till submission of report in final form.

The application for anticipatory bail is, thus, disposed of.

Urgent photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

(Jay Sengupta, J.)