

23.02.2026
Court No.35.
D/L.71
Rakib
(Allowed)

CRM (M) 303 of 2026

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure, 1973/Under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Hili Police Station case no. 134 of 2025 dated 04.06.2025 under Sections 336(3)/340(2)/341(1)/318(4) of the Bharatiya Nyaya Sanhita, 2023 read with Section 14A(b) of the Foreigners Act.

And

In the matter of : Bhuttu Mondal @ Manir Mondal.

.....Petitioner.

Mr. Bibaswan Bhattacharya
Mr. Abhik Sen
Mr. P. Roy

.....for the Petitioner.

Mr. Anand Keshri
Mr. Rahul Ganguly

.....for the State.

Learned advocate appearing for the petitioner submits that the petitioner is in custody for eight months and on the basis of source information he has been detained in custody.

Mr. Keshri, learned advocate appearing for the State opposes the prayer for bail and submits that the petitioner has impersonated others and there are documents collected by the investigating agency to show that the person who has been shown to be his father has expired long ago. There are other materials which show that the name which has been used for obtaining the documents are also questionable.

Be that as it may, these are subject matter of proof in course of the trial, so far as the allegations of Foreigners Act is concerned, I do not find any document in custody that petitioner is belonging to a foreign country, neither he was intercepted at any of the places

from which it is expected a person has misrepresented as a foreigner.

Taking into account the totality of the circumstances, I am of the view that further detention of the petitioner is unwarranted. As such, the prayer for bail of the petitioner is **allowed**.

Accordingly, petitioner namely, **Bhuttu Mondal @ Manir Mondal** shall be released on bail upon furnishing bond of Rs. 20,000/- (Rupees Twenty Thousand only), with two sureties of Rs. 10,000 (Rupees Ten Thousand only) each, one of whom must be local to the satisfaction of the learned Chief Judicial Magistrate, Balurghat, Dakshin Dinajpur.

If on bail, the petitioner shall be physically present on each and every date before the learned trial Court in seisin of the case and petitioner shall meet with the Inspector-in-Charge of Hili Police Station once a week till the same is modified by the learned trial Court.

The observations made hereinabove is for the limited purpose of consideration of the bail application and will not be assessed as a part of the merits in course of the trial of the case.

Accordingly, the prayer for bail in CRM (M) 303 of 2026 is **allowed**.

All parties shall act in terms of server copy of the order 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.)