

16.02.2026

Court No.35.

D/L. 18.

Kausik

CRM (R) 21 of 2026

In Re: An Application for Bail under Section 483 of the Bharatiya
Nagarik Suraksha Sanhita, 2023/ Section 439 of the Code of
Criminal Procedure, 1973 in connection with Swarup Nagar
Police Station Case No. 751 of 2024 dated 30.11.2024 under
Sections 14A(b)/ 14(C) of Foreigners Act.

And

In the matter of : Samir Sikder & Ors.

.....Petitioners.

Mr. D. Deb
Mr. Pabitra Biswas

.....for the Petitioners.

Mr. Aniket Mitra
Ms. Manchan Ray

.....for the State.

Learned advocate for the petitioner submits that
petitioner is in custody for about 444 days and charge sheet
has already been submitted by the jurisdictional Court.

Learned advocate for the petitioner relies upon the
notification of the Central Government and claims that
similarly placed accused persons have been granted bail in
CRM(R) 164 of 2025.

Learned advocate for the State submits that none of the
documents have been handed over to the State.

Learned advocate for the State opposes the prayer for
bail.

Having considered the notification of the Ministry of Home Affairs and observations made in CRM(R) 164 of 2025 I direct the petitioner to canvass the issue before the learned Trial Court or the learned Magistrate in seisin of the case. Learned Magistrate would consider the prayer for bail in consonance with the directions passed in CRM(R) 164 of 2025.

With the aforesaid observations CRM(R) 21 of 2026 is disposed of.

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.)