05.10.2026
Court No.35.
M/L. 38.
Kausik
(Allowed)

CRM (R) 85 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 Park Street Police Station Case No. 94 of 2026 dated 21.05.2026 under Section 23(a)/24 of the Immigration and Foreigners Act.

And

In the matter of : Md. Ahad Bappi & Anr.

……Petitioners.

Mr. Kallol Kr. Basu
Mr. Prasanta Bishal
Mr. Jannat Ul Firdous
Mr. Rajsekhar Hota
Mr. Darsh Deep Singh Walia

……for the Petitioners.

Mr. Gouranga Kr. Das, APP
Ms. Shalini Bairagi

……for the State.

Learned advocate appearing for the petitioners submits that petitioners were arrested pursuant to their application being furnished with the appropriate authorities for extension of the period of VISA.

Charge sheet has already been submitted in connection with the instant case. As such petitioners may be released on bail.

State opposes the prayer for bail as the petitioners were staying in India after their VISA expired.

Having considered that the present is a case of overstaying in India and there are no criminal antecedents being inflicted, petitioners can be released on bail on stringent conditions.

Accordingly, prayer for bail of the petitioners is allowed.

As such, petitioners, namely (1) **Md. Ahad Bappi**, and (2) **Rohan Mia** be enlarged on bail subject to 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 Learned CJM, Calcutta.

If on bail, the petitioners shall be physically present on each and every date fixed before the learned Trial Court and shall not leave the jurisdiction of District of Kolkata without the prior permission of the learned Trial Court and shall report to the Officer-in-Charge of Park Street Police Station once in a week till the said condition is modified by the jurisdictional Court in seisin of the present case..

With the aforesaid observations, CRM (R) 85 of 2026 is **allowed**.

Memo of Evidence submitted be kept with the record.

The observations made above are only restricted for adjudication of the bail application and should not be considered a final opinion on the merits of the case.

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.)