

09.01.2026  
Court No.28  
Item No.267  
tbsr  
Allowed

**CRM (R) 164 of 2025**

In Re: - An application for bail under Section 483 of the Bharatiya  
Nagarik Suraksha Sanhita, 2023 in connection with **Sunderban  
Coastal** P.S. case No.**212 of 2024** dated **30.08.2024** under  
Section **14** of the Foreigners Act, 1946.

And

In the matter of: Rita Mondal & Anr.

....Petitioners.

Mr. Tarunjyoti Tewari  
Ms. Kausiki Bose

....for the petitioners

Ms. Anasuya Sinha, ld. APP  
Ms. Puja Goswami

....for the State

Learned counsel appearing on behalf of the petitioners  
submits as follows. The petitioners are the Bangladeshi nationals  
who out of fear of religious prosecution had entered into India in  
2024. By a notification dated 1<sup>st</sup> September, 2025, the Ministry of  
Home Affairs had decided to exempt any person of minority  
community in Afganistan, Bangladesh and Pakistan who had  
entered into India on or before 31<sup>st</sup> December, 2024 from the  
provisions of sub-sections (1), (2) and (3) of Section 3 of the  
Immigration and Foreigners Act, 2025 and Rules 7, 8 and 9 of the  
Rules. Therefore, the present case under Section 14 of the  
Foreigners Act would not stand against the present petitioners.  
The petitioners may be granted bail on any condition.

Learned counsel appearing on behalf of the State opposes  
the prayer for bail. She submits that two of the co-accused  
belonging to minority community in Bangladesh pleaded guilty, but

two others belonging to the majority community in Bangladesh had absconded after obtaining interim bail. Three children who were intercepted have been pushed back to Bangladesh.

Considering above, the materials available in the case diary and the notification as referred to above, I am inclined to grant bail to the petitioners.

Accordingly, I direct that the petitioner nos. 1 and 2, namely, Rita Mondal and Subrata Mondal shall be released on bail upon furnishing a bond of Rs.10,000/- each with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned CJM, Alipore and on further condition that the petitioners shall attend the trial Court regularly, shall intimate their place of residence in India and their mobile phone number to the Investigating Officer and when in India, shall not leave the jurisdiction of the learned trial Court without permission.

The application for bail is, accordingly, allowed.

Urgent photostat certified copies of this order may be delivered to the learned Advocates for the parties, if applied for, upon compliance of all formalities.

**(Jay Sengupta, J.)**