

13.02.2026

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jb.

jdt.

Allowed

**IN THE HIGH COURT AT CALCUTTA
CIRCUIT BENCH AT JALPAIGURI
CRIMINAL MISCELLANEOUS JURISDICTION**

C.R.M. (R) 4 of 2026

In Re : An Application for bail under Section 483 of the Bharatiya
Nagarik Suraksha Sanhita, 2023 filed in connection with Kharibari
Police Station Case No. 285 of 2025 dated 29.09.2025 under
Sections 14A/14C of the Foreigners Act.

And

In Re : Md. Zahidul Islam

Ms. Radhika Agarwal

Mr. Dhiraj Lakhotia

Ms. Khushi Kundu

Mr. Bijan Ghosh

... For the Petitioner.

Mr. Biswarup Roy

... For the State

Heard learned counsels for the parties.

The petitioner has been charged under Sections 14A/14C of
the Foreigners Act, 1946 in connection with Kharibari Police
Station Case No. 285 of 2025 dated 29th September, 2025.

The said Act has been repealed in terms of Section 36(1) of
The Immigration and Foreigners Act, 2025 which has come into
force on and from 1st September, 2025. The present complaint
being lodged under the repealed Act is not maintainable. Further
detention of the petitioner is uncalled for.

Accordingly, the prayer for bail is allowed.

The petitioner namely Md. Zahidul Islam shall be released on bail upon furnishing bond of Rs.10,000/- (Rupees Ten Thousand only), with two sureties of like amount each, one of whom must be local to the satisfaction of the learned Additional Chief Judicial Magistrate, Siliguri subject to condition that he shall remain within the jurisdiction of the learned trial Court and shall furnish the address where he shall presently reside before the learned trial Court, the investigating officer and the concerned officer in charge of the police station under whose jurisdiction he shall henceforth reside. He shall appear before the learned trial Court on every date of hearing fixed by the learned trial Court and shall not tamper with evidence or intimidate witnesses in any manner whatsoever.

In the event the petitioner fails to adhere to any of the conditions stated hereinabove, the learned trial Court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

CRM (R) 4 of 2026 is disposed of.

Case diary be returned.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

Urgent certified website copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Suvra Ghosh, J.)