

13.02.2026

54
jb.
jdt.

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

C.R.M. (M) 25 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. 181 of 2023 dated 19.07.2023 under Sections 468/471 of the IPC read with Sections 14(A) and 14(B) of the Foreigners Act.

And

In Re : Peng Yongxin @ Umesh Yonjan.

Ms. Rima Sarkar

... For the Petitioner.

Mr. Kallol Acharjee

Mr. Sagnik Sarkar Sikder

... For the State

Learned counsel for the petitioner submits that the petitioner is in custody for more than 2 years. The petitioner is a Chinese citizen and entered India with valid travel documents including a passport and a VISA. In connection with FIR lodged against him under Sections 379/411/465/471 of the Indian Penal Code and Sections 2/33/42/52/64 of the Indian Forest Act, he was released on furnishing personal bond by the learned Additional Chief Metropolitan Magistrate (Special Act) (Central), Delhi on 19th October, 2015. His Chinese passport was seized and retained in custody of the Court. The petitioner applied for

return of the said passport for renewal of his VISA which was about to expire. His prayer was turned down by the learned Magistrate in Delhi. He has been residing in India on the basis of genuine documents. His further custody is not required. He may be released on bail subject to stringent conditions.

Learned counsel for the State opposes the prayer.

I have considered the material on record. The earlier complaint lodged against the petitioner and his release on bail is not in dispute. It prima facie appears that the petitioner left for Nepal and reentered India with a Nepali passport, which according to the prosecution, is fake. The document is under verification. Several other incriminating material has been seized from the petitioner who is residing in the country on the basis of fake and forged documents. Trial is at its fag end. 5 witnesses are remaining to be examined.

Considering the material on record as well as extent of complicity of the petitioner in the alleged offence, prayer for bail is rejected at this stage.

However, considering the period of incarceration of the petitioner, learned trial Court is directed to expedite the trial and take the same to its logical conclusion in accordance with law.

CRM(M) 25 of 2026 is disposed of.

Case diary be returned.

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

(Suvra Ghosh, J.)