CIRCUIT BENCH OF
CALCUTTA HIGH COURT AT JALPAIGURI
CRIMINAL MISCELLANEOUS JURISDICTION

25.11.2026
Ct No.5
Item No.51
Chanchal/PA

CRM (M) 435 of 2026

In Re:- An application for Bail under Section 483 of the Bharatiya Nagrik Suraksha Sanhita, 2023.

Rejected And

In Re: **Fajle Rabbi Siddique @ Dada**

...Petitioner

Mr. Debashish Roy, Ld. Sr. Adv. (through V.C.)
Mr. Sudip Guha, Adv.

...for the petitioner

Mr. Avrojyoti Das, Ld. A.P.P.
Mr. Atul Dong, Adv.

...for the State

1. The Learned Advocate appearing for the petitioner submits the petitioner is a permanent resident of India and has been falsely implicated in the instant case. It is submitted that the petitioner was not named in the First Information Report and his implication surfaced subsequently on the basis of the statement of a co-accused.
2. It is further submitted that the allegations arise out of an investigation initiated on intelligence inputs concerning certain Pakistan-based operatives allegedly engaged in espionage-related activities through Indian mobile SIM cards. The petitioner, however, has no connection with the alleged activities and the

materials collected during investigation do not disclose any specific role attributable to him in the commission of the alleged offence. Moreover at a later date the entire episode of espionage concerning intelligence agency operating in Pakistan and Bangladesh evaporated and the transaction of fake currencies were inducted to justify the concocted stance of the prosecution.

3. The Learned Advocate submits that the allegations concerning the alleged transportation of Indian SIM cards through Bangladesh to Pakistan and the activities attributed to the principal operators of the network cannot, by themselves, establish the petitioner's participation therein. The petitioner has been implicated on the basis of statements of co-accused persons, and no sufficient material has been collected to establish his involvement in the alleged transactions concerning Fake Indian Currency Notes (FICN).
4. It is further contended that the petitioner was arrested on 20th August, 2026 and has remained in judicial custody since his production before the Learned Additional Chief Judicial Magistrate, Dinhata, on 21st August, 2026. His earlier prayer for bail was rejected. The Learned Advocate submits that the petitioner has already suffered substantial detention and that his further incarceration would serve no useful purpose.
5. It is lastly submitted that the petitioner has a permanent place of residence and an established occupation, and there is no likelihood of his absconding or evading the process of law.

6. The Learned Advocate representing the State referred to Page No. 218,219, 221, 225, 286, 222, 291, 331, 223, 224, 408, 416,417 to 425 and 427 to 447 of the case diary. The Learned Advocate representing the State opposed the prayer for bail based on CAF of the petitioner the CDRs of the petitioner with certain persons located in Pakistan through whatsapp. There were reference to the CDR with the co-accused person a Bangladeshi National residing illegally in India and the whatsapp chats between the petitioner and the principal accused belonging to resident of Bangladesh concerning FICN. He further referred to certain photographs depicted the fake currency notes as well as the videography of seizure of fake currency notes. He further submitted the petitioner along with the co-accused persons who had been Foreign Nationals indulged in unauthorized use and transportation of Indian SIM Cards to Pakistan to propagate espionage and in widening SIM smuggling network eventually transported to Dhaka and Islamabad, Pakistan. The petitioner being a part of the criminal conspiracy endangered the security of India and destabilize the same financially by the disseminating fake currency notes to frustrate the social and economic strata in India. There is every possibility of absconsion on the part of the present petitioner if released on bail and recur the possibility of further commission of the offence.

7. The Call Detail Records (CDR) appearing at pages 218-219 of the case diary disclose the petitioner's telephonic communications with the persons whose mobile numbers have been referred to

therein being the CAF of the petitioner. The CDRs appearing at page 221 of the case diary reflect communications involving the petitioner and the relevant mobile numbers attributed to the persons under investigation with distinct PIO number. The IP address and location particulars appearing at page 226 of the case diary in the alleged connection with Pakistan through whatsapp communications. The CDRs appearing at page 222 of the case diary disclosed telephonic communications between the petitioner and co-accused Md. Safiqul Islam, stated to be a Bangladeshi national allegedly residing illegally in India. The relevant mobile number is recorded as 7209010317. Page 29 of the case diary contains the material indicating that mobile no.7209010317 was recovered from Md. Safiqul Islam.

8. The CDRs and associated materials appearing at pages 223-224 of the case diary disclose communications between the arrested accused and the petitioner through two mobile numbers attributed to the petitioner. The accompanying facebook conversations allegedly relate to exchanges with a Nepalese national concerning Pakistan-made and Bangladeshi-made Fake Indian Currency Network (FICN).

9. The whatsapp conversations appearing at pages 408-416 of the case diary allegedly disclose communications between the petitioner and Akbar @ Samrat Hossain of Bangladesh described as a kingpin operating in Bangladesh in connection with the FICN network.

10. The whatsapp conversations appearing at pages 417 to 425 of the case diary have been relied upon to demonstrate that the petitioner allegedly transmitted videos concerning FICN to his Indian associates. The whatsapp conversations appearing at pages 426-447 of the case diary allegedly disclose communications between the petitioner and other Bangladeshi nationals concerning the *modus operandi* adopted for the circulation and trafficking of FICN.

11. The aforesaid whatsapp messages had been produced by the concerned authority operating the whatsapp platform to the Investigating Officer. The aforesaid materials on record, *prima facie*, indicate incriminating materials of the petitioner's alleged participation in the network.

12. The petitioner is in custody since 14.08.2026. The charge-sheet had been submitted on 09.11.2026. Circulation of Fake Indian Currency Notes in association with foreign nationals is indubitably a threat to the social and economic stability of India and an alleged act of the petitioner to be involved in the offence at this juncture pending trial cannot be credited with an order to be released on bail. There is sufficient possibility of absconsion on the part of the petitioner along with tampering of evidence prior to the commencement of trial and thereafter. Accordingly, this Court is not inclined to release the petitioner on bail.

13. Accordingly, prayer for bail stands **rejected**.

(Ananya Bandyopadhyay, J.)