

**In the Court of Additional District and Sessions Judge,
Gangarampur at Buniadpur, Dakshin Dinajpur.**

Sess. Case No. 19/2021

S.T No. 01 of 2023

Reg. No. 16 / 2021

CNR No. WBDD05-000148-2021

JO CODE No. WB- 0052

Present- Shri. Dharani Adhikary,
Addl. Dist. & Sess. Judge,
Gangarampur at Buniadpur,
Dakshin Dinajpur.

**Reference:- Harirampur P.S Case No. 195 of 2020 dated 08-10-2020,
u/s 14 A(b)/14 C of the Foreigners Act.**

Order No.22

Dt.08/02/2023

Today is fixed for production, appearance and framing of charge.

Accused persons namely- **Sokhen Paul s/o Rathin Ch Paul and Sulata Rani Paul w/o Rathin Ch. Paul along with minor child namely Amit Paul all of village Talson, P.O+P.S- Adom Dighi, Dist- Bogura, Bangladesh** are produced from J.C.

Accused person namely, **Kalpana Paul** on court bail is present.

Ld. Advocate for accused **Sokhen Paul and Sulata Rani Paul**, files petition praying for guilty plead by the accused persons.

Accused **Kalpana Paul** files no petition for pleading guilty.

Before considering the prayer for pleading guilty of accused namely **Sokhen Paul and Sulata Rani Paul**, case record is taken up for framing charge.

Heard the Ld. Addl. P.P-in-charge as well as Ld. Defence Counsel for the accused persons.

Perused the materials on record and C.S carefully and found there are sufficient prima-facie materials against the accused **Sokhen Paul and Sulata Rani Paul** entered in India from Bangladesh illegally without any valid documents and passport and the documents filed by them namely National I.D Card, reflects they are the citizen of Bangladesh. Thus, prima-facie established that they have committed offence punishable u/s 14 A (b) of the Foreigners Act, 1946 and against accused Kalpana Paul found prima-facie materials to give shelter of the above noted Bangladeshi nationals punishable u/s 14 C (i) of the Foreigners Act, 1946. Accordingly charge is framed against them in a separate sheet. Let it be kept with the record.

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Contents of charge as noted above are explained to the above noted accused persons in Bengali language to which the accused persons namely, **Sokhen Paul and Sulata Rani Paul** plead guilty voluntarily saying “Amra Bhul Kore Bangladesh theke India te Ase Chhi kono boidho Kagaz Patra Chara, Amra Dosh Shikar Korchhi.” but accused Kalpana Paul pleads not guilty saying innocence and claimed to be tried.

The statement of above noted accused persons namely, **Sokhen Paul and Sulata Rani Paul**, made before this Court in open court reflects that they are the citizen of Bangladesh and they entered in the territory of India illegally without valid documents or Passports. Thus, their guilty plead is accepted.

Hence, it is,

ORDERED

that both accused persons namely, **Sokhen Paul and Sulata Rani Paul** are found guilty for committing offence punishable u/s 14 A (b) of the Foreigners Act. They are convicted u/s 229 of the Cr.P.C and sentenced to suffer S.I for 02 (two) years and five (05) Months and also pay fine of Rs. 10,000/- (Ten Thousand) I.d to S.I for 15 (Fifteen) days.

Period of detention undergone by the convicts be set off u/s-428 of Cr.P.C against the sentence of imprisonment. After completion of suffering imprisonment, the convicts be repatriated to Bangladesh.

The minor child namely Amit Paul be also repatriated to Bangladesh along with convicts with whom he came in India.

Copies of the judgment be handed over to the convicts.

Issue Jail Warrant accordingly.

Since, the another accused Kalpana Paul did not plead guilty, the case is fixed for recording evidence of the witness as follows.

To **04-04-2023** for evidence of C.S.W.1, C.S.W.2 and C.S.W.3.

To **05-04-2023** for evidence of C.S.W.4, C.S.W.5 and C.S.W.6.

To **06-04-2023** for evidence of C.S.W.7, C.S.W.8 and C.S.W.10.

Issue summons accordingly.

Accused as before.

Ld. Addl. P.P-in-charge is directed to take steps and insure the presence of witnesses.

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Operative portion of this order be sent to the I.C Harirampur P.S with a direction to insure the appearance of above noted witness before this Court.

Let a copies of this order be transmitted to the Office of the Secretary, Ministry of External Affairs to the Government of India, the Chairman of the District Legal Service Authority at Balurghat and the District Magistrate for the District Dakshin Dinajpur at Balurghat, the Superintendent of Police for the District Dakshin Dinajpur at Balurghat and the Superintendent of Central Correctional Home, Dakshin Dinajpur

D/C by me

sd/-
Addl. Dist. and Sess. Judge,
Gangarampur at Buniadpur,
Dist.- Dakshin Dinajpur.

sd/-
Addl. Dist. and Sess. Judge,
Gangarampur at Buniadpur,
Dist.- Dakshin Dinajpur.