

GR 126/19

Present : A.Ghosh

Order dated : 23.12.2019

Today is fixed for appearance and production.

One accused person is present by filing hazira along with his Ld Adv and another accused is produced from J.C. Ld APP is also present.

On behalf of accused Suman Mondal, a petition has been filed praying for pleading guilty.

Let it be kept with the record.

The record is taken up for framing of charge. On perusal of the record it appears that a prima facie case u/s 14C of the IPC is present against the accused Ajbar Mondal and a prima facie case u/S. 14A (b) of IPC is present against the accused Suman Mondal.

The substance of accusation under the above mentioned sections is read over and explained to the accused persons in Bengali to which accused Ajbar Mondal pleaded not guilty by saying "Ami Nirdoshi" and claim to trial and another accused Suman Mondal pleaded guilty and prayed for mercy.

Charge is framed in separate sheet of paper and be kept with the record.

To for evidence.

Issue summons upon CSW 1.

Dictated and Corrected  
by me

Sd/- Arpita Ghosh  
**Judicial Magistrate,**  
*Tehatta, Nadia*

Sd/- Arpita Ghosh  
**Judicial Magistrate,**  
*Tehatta, Nadia*

**GR 126 of 2019**

**[arising out of Hogolberia P.S. case No. 220 of 2019 dt. 12.11.2019 u/s sec. 13 and 14 of Foreigners Act]**

**Later, Order dt. 23.12.2019**

Today is fixed for production of the accused person namely Suman Mandal.

The accused person namely Suman Mandal is produced before this court. Charge has already been framed against him u/s 14A (b) of Foreigners Act, 1946.

On behalf of the accused person a petition for guilty has been filed.

**Accd. Peron pleads guilty voluntarily by stating that he hails from Bangladesh and not a citizen of India and without any valid document, he entered into India.**

Hence the plea of guilty is accepted.

It is,

**ORDERED**

**that accused person Suman Mandal is convicted and sentenced to suffer simple imprisonment for a period of 2 year u/s 14A (b) of Foreigners Act, 1946.** He is also convicted and sentenced for a fine of Rs. 10,000/- in default to suffer imprisonment for a *further period* of 3 months (90 days) u/s **14A (b) of Foreigners Act, 1946.**

It appears that from the record that the accd. Person **Suman Mandal** had been brought under arrest on 12.11.2019 before this Court and since then he is in judicial custody. The period of detention which the convicted accused person has already suffered shall be set off from the substantive sentence.

The Superintendent, District Correctional Home is directed to send the convicted accused person to the proper authority to enable him to make arrangement to send back the convicted accused person to Bangladesh/ country of his origin after the conviction period is over in

Cont....

**GR 126 of 2019**

Contd.....order dt. 23.12.2019

consultation with the District Administration and the High Commissioner of both the countries.

Let a copy of this order be sent to the Superintendent of Police, Nadia and to the Superintendent, District C. Home, Nadia for their supervision and necessary compliance.

Also serve a copy of this order to the Foreign Ministry through District Magistrate, Nadia.

BCII to do the necessary.

Dictated and Corrected  
by me

Sd/- Arpita Ghosh  
*Judicial Magistrate,*  
Tehatta, Nadia

Sd/- Arpita Ghosh  
*Judicial Magistrate,*  
Tehatta, Nadia