

IN THE COURT OF ADDITIONAL SESSIONS JUDGE,
2ND COURT, BANGAON, NORTH 24 PARGANAS.

Present: Smt. Kumkum Singha (WB00712)
Additional Sessions Judge, 2nd Court,
Bangaon, North 24 Parganas.

SC- 208 of 2025
(CNR No. WBNP06001501-2025)

Order No.14
17.06.2026

Today is fixed for passing order in respect of discharge petition under Section 250 of BNSS and bail petition on behalf of the accused Nasima Akhtar @ Sabina Mahammad Naim Kureshi who is in judicial custody filed by his Ld. Advocate Mrinmoy Bose from SDLAS.

The petitions are heard from both sides on 05.06.2026.

It is submitted by Ld. Counsel of the accused that the present accused is Indian citizen and in support of Indian documents have been submitted from her end. Along with the petition Voter I-Card, Passport, Birth Certificate, Aadhaar Card, Pan Card, SBI Bank Passbook, BPL Card of Indian origin in favour of Sabina Mahammad Kureshi were filed but while she came to visit the Border area of Bangladesh at Haridaspur then she was detained by the Immigration Authority and a false case has been lodged against her on suspicion that she is a Bangladeshi citizen and her name is Nashima Akhtar as daughter of Noor Mahammad and the resident Uttarkhan Dhaka, Bangladesh. Practically there is no document lying in that name and even if any person exists in the name of Nashima Akhtar she is totally a separate identical person. May be there is some resemblance in their face and appearance but that does not mean this accused is Bangladeshi citizen with identity of one Nashima Akhtar. The basic documents as to proof of identity have been produced by the accused so as she is Indian National, so no case can be established against her either under Foreigners Act or either any provision of BNS for fabrication of proof of identity and misrepresentation of fact and personality. Thus on the basis of the existing documents of Indian Authorities she is to be discharged from this case from all the charges brought against her by the Investigating Agency. It is furthermore argued by Ld. Counsel that if Ld. Court will find that she is a person of Indian origin so she may be enlarged on bail at least on that ground at this stage.

On the other hand, Ld. PP produced the CD and it is also submitted that the accused has been detained at the Immigration Office as per CD while she tried to go to Bangladesh. She entered India with her Bangladesh Passport in the year 2009-10 and destroyed that document and thereafter during stay in India she would be able to prepare and manufacture all the documents totally suppressing her original identity taking the identity of Sabina Mahammad Kureshi. At the time of profiling copy of Bangladeshi identity and Bangladeshi Court paper were detected and for that reason she has been detained by the authority and thereafter specific complaint was lodged. The documents of Bangladesh and also the documents of India had been sent to DIB for verification and report. Till date the report has not been received and for that reason at this stage there is no space either to enlarge her to bail or to discharge her from this case giving a cleanchit to her only on the basis of the documents of Indian origin as genuine and sacrosanct. Whether she is Bangladeshi or not or

whether she prepared or manufactured the documents of India that matter would be decided after completion of trial. The documents already collected by the Investigating agency are sufficient enough to establish the prima facie case that is the suspicion of her origin and thus the prayer for discharge is to be rejected as well as the bail petition filed along with it.

Considered the submission of both sides. In my previous order I have directed the I.O. to submit the specific report regarding the verification of the documents collected from the custody of the accused as well as the complainant authority. It is reported by the I.O. that presently he has been transferred to other police station and that matter is presently looked after by any of the officers of Petrapole P.S. as per direction of O.C. From Petrapole P.S. it has been informed that till date the DIB report is pending. At this stage I have perused the documents filed by the Ld. Advocate of the accused and also the documents lying in the CD as collected by the Investigating officer. Prima facie I find one Birth Certificate which was issued from Mathura Brindaban of Uttar Pradesh in the name of Sabina Kureshi. From that certificate prima facie I find her date of birth is in the year 1988 whereas the certificate was issued in the year 2013. So that document itself prima facie establishes the suspicion about her origin and while the DIB report is pending I think it is not the right time to discharge the accused only on the basis of her statement or documents filed. It needs trial and also the production of documents and reports which are in question and thus the prayer under Section 250 of BNS is rejected on contest. In view of my above stated observation I think as till date I cannot reach to the conclusion that she is not a citizen of Bangladesh so I am not inclined to allow her on bail considering that status and thus the bail petition is also rejected on contest.

Thus to fix 07.07.2026 for production and charge.

Dictated & Corrected by me

ADJ-2, Bangaon, North 24 Parganas.

Additional District & Sessions Judge,
2nd Court, Bangaon, North 24 Parganas