

S.C. 59 of 2026
Present – Shri Sanjay Naskar Ld.P.O
J.O Code (UID No) WB01025

Order no.3
Dated, 04.02.2026

Accused Hossain Mallick, Nur Islam Mallick, Selina Bibi are produced from J.C. and they taken into custody and remanded to J.C. till date.

Ld. Advocate for the accused persons files a petition praying for pleading guilty of the accused persons.

Heard both sides.

Perused the case record, charge sheet and the documents filed.

It is alleged that on 01.10.2022, at about 7:55 hours, at Nebukhali Bus Stand under Hingalgan P.S. Dist. North 24 Parganas, police apprehended the accused Hossain Mallick, Nur Islam Mallick, Selina Bibi who were illegally crossed the IB and on being asked, they failed to produce any valid documents or travel documents to enter into India.

On perusal of the case record, charge sheet and the documents filed, this Court feels, there is sufficient materials for presuming, the accused persons have committed the offence punishable under section 14A(b) of Foreigner Act & sec. 12 P.P. Act. The substance of accusation of the offence punishable under section 14A(b) of Foreigners Act & 12 P.P. Act is read over and explained to the accused persons namely, Hossain Mallick, Nur Islam Mallick, Selina Bibi to which they plead guilty by saying “amra doshi”. The plea of guilty appears to be made voluntarily and the same is thus accepted. Accordingly, the accused named Hossain Mallick, Nur Islam Mallick, Selina Bibi are convicted u/s 229 of Cr.P.C.

The accused stated that they are very poor persons and they were brought in this country by some unscrupulous persons on the pretext of giving their job; however they pray mercy. In this facts and situation of the case, this Court finds it appropriate to pass the minimum sentence and impose minimum fine prescribed in sec. 14A(b) of Foreigners Act & 12 P.P. Act against the accused. Accordingly, the accused named Hossain Mallick, Nur Islam Mallick, Selina Bibi are convicted u/s 229 of Cr.P.C for committing the offence u/s 14A(b) of Foreigners Act on their guilty plea and sentenced to suffer rigorous imprisonment for a term of 02(two) years each and to pay fine of Rs. 10,000/-(ten thousand) each only failing which they

are to suffer S.I. for 01(one) month each for committing the offence u/s 14A(b) of Foreigners Act.

They are also sentenced to pay fine of Rs. 1000/- (one thousand) each only for committing the offence u/s 12 of P.P. Act each failing which they are to suffer S.I. for 05(five) days each.

The period of detention already undergone by the accused are to be set off against the sentence of imprisonment in view of sec. 428 of Cr.P.C.

Since the convicts namely, Hossain Mallick, Nur Islam Mallick, Selina Bibi with lap baby Jesimn Mallick are foreign national, they shall be deported back to their home country in accordance with procedure laid down in law on completion of the sentence.

Accused Safikul Gazi is present.

Accused Bapi Gazi is produced from J.C. He is taken into custody and remanded to J.C. till 18.02.2026.

The Ld. Advocate for the accused Bapi Gazi has filed a petition praying for bail.

Heard both sides. Perused the record. It appears that the accused has been forwarded for committing the offence, punishable u/s 14C of Foreigners Act and he was on bail on previous occasion. Due to misuse of liberty of bail, he is in J.C. since 21.01.2026. Considering the period of detention this court feels that he has learned a lesson of misusing the liberty of bail. Considering the same, the bail prayer is allowed. The accused Bapi Gazi may find bail on furnishing bond of Rs.2,000/- with one surety of like amount, subject to the satisfaction of Ld. ACJM, Basirhat, on condition to appear before this court on each and every dates of hearing I.D. to J.C.

To 13-03-2026 for appearance and consideration of charge.

Dictated & Corrected by me.

Addl. Session Judge,
Fast Track 3rd Court, Basirhat.

Sanjay Naskar.
J.O.Code WB01025
Addl. Session Judge,
Fast Track 3rd Court, Basirhat.

