

**SC 150 of 2025**

Present– Shri Sanjay Naskar Ld. ADJ, FTC-3, Basirhat.

**J.O Code (UID No) WB01025**

**Order no. 7**

**Dated. 01-08-2025**

The accused namely, Md. Jakir Hossen Sardar, Aminur Rahaman, Alam Biswas, Fazlu Howladar and Ripon Mia are produced before this court through V/C.

Md. Ashraful Islam is appointed as Ld. PP in Charge in this case and he files hazira.

Today is fixed for production of the accused and awaiting report of verification of document in respect of the accused Md. Jakir Hossen Sardar.

Accused Md. Jakir Hossen Sardar files a bail application.

Heard the bail application. Perused the record. Report of verification of document of the accused Md. Jakir Hossen Sardar has not yet been received from the PS. Considering the nature and gravity of offence u/s 14A(b) of F. Act and 12 of P.P.Act, the instant bail application stands rejected. Let a reminder be sent to the O/C, Swarupnagar PS for submitting verification report without further delay.

Ld. Advocate for the accused Fazlu Howladar files a petition stating that the accused is an Indian citizen and in support of its contention he relies upon the copy of Birth Certificate of the accused. In this circumstances, this court finds it appropriate to send the document to the I.O. for verification.

The O/C of Swarupnagar PS is directed to appear personally or to depute competent police officer of his choice to appear personally before this court and to produce the extract copy of original volume Book where the relevant entry as to the recording information of birth of the accused has been noted down.

Let a copy of this order be sent to the O/C, Swarupnagar PS directing him to submit a report after verifying the document of the accused by the next date.

The accused namely, Aminur Rahaman, Alam Biswas and Ripon Mia have filed a petition for pleading guilty.

Heard the submission of the accused Aminur Rahaman, Alam Biswas and Ripon Mia.

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

It is alleged that on 16-10-2024, at about 17:10 hrs, at BOP- Hakimpur near Bhoot Banglow, BSF party apprehended the accused Aminur Rahaman, Alam Biswas and Ripon Mia who were illegally crossed the IB and on being asked, they failed to produce any valid document or travel document to enter into India.

On perusal of the case records, charge sheet and the documents filed, this Court feels, there are sufficient materials for presuming, the accused Aminur Rahaman, Alam Biswas and Ripon Mia have committed the offence punishable under section 14A(b) of F. Act and 12 of P.P.Act. The substance of accusation of the offence punishable under section 14A(b) of F. Act and 12 of P.P.Act is read over and explained to them to which they plead guilty by saying “amra doshi”. The plea of guilty appears to be voluntarily made and the same is thus accepted. Accordingly, the accused named Aminur Rahaman, Alam Biswas and Ripon Mia are convicted u/s 229 of Cr.P.C.

The accused persons Aminur Rahaman, Alam Biswas and Ripon Mia stated that they are very poor persons and they were brought in this country by some unscrupulous persons on the pretext of giving them job; however they prays 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 against the accused. Accordingly, the accused named Aminur Rahaman, Alam Biswas

and Ripon Mia are convicted u/s 229 of Cr.P.C for committing the offence u/s 14A(b) of Foreigners Act and 12 of P.P.Act on their guilty plea and sentenced to suffer simple imprisonment for a term of 02(two) years each and to pay fine of Rs. 10,000/-(ten thousand) each 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 for committing the offence u/s 12 of P.P.Act failing which they are to suffer S.I. for 05(five) days each.

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

Since the convict, Aminur Rahaman, Alam Biswas and Ripon Mia are foreign national they will be deported back to their home country in accordance with procedure laid down in law on completion of the sentence. Let the seized B/D Passport stands in the name of Alam Biswas be returned him on proper verification and identification and let the seized mobile phones be destroyed as per law and let the seized Indian currency be forfeited to the state according to law.

Fix 02-09-2025 for production of the accused namely, Md. Jakir Hossen Sardar & Fazlu Howladar, awaiting report and consideration of charge.

Dictated & Corrected by me.

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

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

West Bengal Form No.3959  
High Court Criminal Form No.(p)39

**SC 150 of 2025**

CHARGES WITH TWO HEADS  
[No. XXVIII (II), SCHEDULE V, ACT, 1808]  
[Sections 221,222, 223, Code of Criminal Procedure]

Name and office of I, Sanjay Naskar, Additional Sessions Judge, Fast Track 3<sup>rd</sup> Court at Basirhat, North 24 Parganas.

hereby charge you namely  
as follows :

Accused named  
Aminur Rahaman, Alam Biswas and Ripon Mia.

**Firstly- That you, on 16-10-2024, at about 17:10 hrs, at BOP- Hakimpur near Bhoot Banglow,** entered into India without any valid passport or travel documents and that you thereby committed an offence punishable u/s **14A(b) of the Foreigners Act** and within the cognizance of this court.

**Secondly** –that you, on the same date, time and place you failed to produce for inspection your passport or travel document to enter into India and that you thereby committed an offence punishable u/s **12 of the PP Act** and within the cognizance of this court.

That the content of the said charges is read over and explained to them to which they plead guilty by saying “amra doshi”.

And, hereby direct that you be tried by the said Court on the said charges.

Dated this 1<sup>st</sup> day of August, 2025.

Additional Sessions Judge,  
Fast Track 3 Court, Basirhat,  
North 24 Parganas

