



GR 471 of 2026
(CIS GR 600 of 2026)

Order No. 04
Dated 22.06.2026

Today is fixed for charge.

Both the accused persons namely, **Md. Asif Ali and Md. Ariful Islam** are produced from J.C.

Mr. Sasanka Sekhar Naha, Ld. Advocate on behalf of the accused persons is present.

Ld. APP is also present.

Record is taken up for consideration of charge.

Heard Ld. APP as well as Ld. Lawyer of the accused persons.

Perused the materials on record and it appears that there are sufficient prima facie materials to frame charge for the offence punishable under section **21 of the Immigration and Foreigners Act, 2025** against the accused persons, namely, **Md. Asif Ali and Md. Ariful Islam**.

The charge for the offence punishable u/s **21 of the Immigration and Foreigners Act, 2025** is framed against the accused persons and the content of charge is read over and explained to them to which each of them pleaded guilty saying 'ami doshi' and prayed for mercy.

As accused persons have pleaded guilty voluntarily, their plea of guilty is accepted and accordingly, I convict them u/s 264 of the BNSS.

While hearing on the point of sentence the convicts stated that they are innocent, by mistake they entered into the Indian Territory, they had no ulterior motive, they want to go back to their native place **at village Sarial Jote, P.O. & P.S. Tetulia, District- Panchagar of Bangladesh**, where their family members are residing and also pleaded for mercy.

Considering the submission of the convicts, I took the lenient view and I think it will be justified to sentence them to suffer simple imprisonment for **two (2) years each and to pay fine of Rs. 10,000/- (Rupees ten thousand) only each**, in default to suffer further simple imprisonment for thirty (30) days each for the offence punishable **U/S 21 of the Immigration and Foreigners Act, 2025**.

It further appears that the accused persons have been detaining in custody since **01.03.2026**

Hence it is



ORDERED

That both the convicts, namely, **Md. Asif Ali and Md. Ariful Islam** are found guilty for the offence punishable u/s **21 of the Immigration and Foreigners Act, 2025** and they are accordingly convicted under section 264 of the BNSS.

Thus, the convicts **Md. Asif Ali and Md. Ariful Islam** are sentenced to suffer simple imprisonment for **two (02) years each and to pay fine of Rs. 10,000/- (Rupees ten thousand) only each**, in default of payment, they are liable to suffer further simple imprisonment of thirty (30) days each.

The period of detention already undergone from **01.03.2026** by the convicts during, investigation, inquiry and even after filing C.S. be set off with the sentence as aforesaid as per provision under section 468 of the BNSS.

The convicts shall be sent back to their native place **at village Sarial Jote, P.O. & P.S. Tetulia, District- Panchagar** of Bangladesh after completion of their period of sentence.

Let a copy of this order be sent to the District Magistrate, Uttar Dinajpur, for information and necessary action.

Let a copy of this order be supplied to the convicts free of cost for information.

Let a copy of this order be sent to Superintendent, Raiganj District Correctional Home, Raiganj, Uttar Dinajpur.

Let a copy of this order be forwarded to the Secretary, District Legal Services Authority, Uttar Dinajpur in terms of the law laid down by the Hon'ble Calcutta High Court in Milati Sarder v. State of West Bengal, 2018 CrLJ 1969, to enable the convict to prefer appeal after his right to legal aid to prefer an appeal was made understandable by this Court by explaining him in the language he understands.

D/C by me.

JM, Islampur, U/D

**(Jamshed Shaikh)
Judicial Magistrate,
Islampur, Uttar Dinajpur
J.O Code- W.B 01389**