

IN THE HIGH COURT OF JUDICATURE AT BOMBAY:
NAGPUR BENCH : NAGPUR
Criminal Application [BA] No. 869 of 2015
[Ghananand Vibhutibhushan Barua Vs. State of Mah.]

**Office Notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.**

Court's or Judge's orders

Mr. N.R. Bhishikar, Adv., for the applicant.
Mr. Dhumale, APP for respondent.

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CORAM : A.B. CHAUDHARI, J.

DATE : 05th December, 2015.

Heard.

In Crime No. 313/2015 registered with Nandanwan Police Station, Nagpur, for offences under Sections 420, 468 and 471 of Indian Penal Code, read with Section 12 (B) of the Indian Passport Act, the applicant was arrested on 11th August, 2015, and since then he is in jail.

Admittedly, the applicant is a Bangladeshi citizen, and had moved to India on a tourist Visa, which eventually stood expired. The allegations against the applicant are that he forged a pass-book of State Bank of India, PAN Card, Adhar Card and School Leaving Certificate, in order to show that he is an Indian citizen. The sentence provided by Section 468, Indian Penal

Code, is seven years.

Looking to the fact that the applicant is a Bangladeshi, the question of releasing him on bail does not arise, since he would not be able to attend the trial if he goes back to Bangladesh. The only way out is, therefore, to make the following order:-

ORDER

- [a]** Criminal Application [BA] No. 869 of 2015 is rejected.
- [b]** The learned Judicial Magistrate First Class is directed to initiate and complete the trial on day-today basis within four months from today.
- [c]** Prosecution is directed to assist the Court for production of witnesses etc.

Judge

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