

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31672 of 2016

Arising Out of PS.Case No. -120 Year- 2016 Thana -DARBHANGA SADAR District-
DARBHANGA

- =====
1. Md. Akhta @ Md.Akhtar @ Akhtar Son of Md. Hanif Resident of Village- South Mohammadpur, P.S. Sinbag, District Nawakhali (Bangladesh).
 2. Md. Dulal Son of Md. Samsul Haque Resident of Village- Anuman Nagar, P.S. Dhagun Bhyija, District Johi, (Bangladesh)
 3. Md. Nasir Son of Md. Sheikh Resident of Village- Gajir, P.S Sadar, District Naiyakhah (Bangladesh)

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Nilesh Kumar

For the Opposite Party : Mr. Sri Satyendra Prasad

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 17-09-2016 Heard the learned counsel for the petitioners as well as the learned A.P.P for the State.

The petitioners seek bail in a case for the offences punishable under sections 420, 467, 468, 471, 484, 170 and 120 (B) of the I.P.C, section 12 of the Indian Passport Act and section 14 of the Foreigner Act.

Allegedly, the informant got secret information that some persons are residing in the rented flat of Banbari Yadav and then the informant and other police personnel went there and raided the house resulting eight persons tried to flee away with their belongings but they were apprehended with some document and mobile etc. and accordingly seizure list was prepared. They

disclosed that they are Citizens of Bangladesh and also disclosed whereabouts. They also disclosed that on the basis of forged passport given by one Santosh Yadav they came in this country and Santosh Yadav has provided room to them and further provided forged Voter I.D and forged certificate and on the basis of forged document they have applied for passport.

Submission is of false implication and that they have committed no offence and only on suspicion they have been implicated, the allegation is against co-accused Santosh Yadav who is said to have prepared forged passport, against the petitioners no offence, as alleged, is made out, they are made victim of the circumstances, co-accused Banbari Yadav has been allowed bail by another co-ordinate Bench of this Court and as such the petitioners also deserve sympathetic consideration, to which the learned A.P.P. seriously opposes.

In the facts and circumstances as stated above, considering the allegation attributed against the petitioners, serious in nature, I am not inclined to enlarge the petitioners on bail and accordingly their such prayer stands rejected in connection with Darbhanga (Sadar) P.S. Case No. 120 of 2016 pending in the court of C.J.M. Darbhanga.

(Jitendra Mohan Sharma, J)

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