

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27982 of 2017

Arising Out of PS.Case No. -118 Year- 2016 Thana -NAWADA District- NAWADA

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1. Md. Arif Arsad, Son of Md. Amniuddin, resident of Mohalla- Islam
Nagar, P.S. Nawada Town (Bundelkhand), District- Nawada.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Ram Anurag Singh, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 30-06-2017 Heard learned counsel for the petitioner and

learned Additional Public Prosecutor for the State.

Petitioner is languishing in custody for the

offences punishable under Sections 419/420/ 467/ 468/ 471 /120B

/201 of the Indian Penal Code.

According to F.I.R. one Enamul Haque, a

Bangladeshi citizen, applied for passport in India as citizen of

India. At the time of verification of his identity Enamul Haque

was identified by this petitioner. House of the Enamul Haque was

also shown by the petitioner. Subsequently, Enamul Haque was

apprehended at Kolkata Airport and it was found that he is a

Bangladeshi Citizen. Thereafter, the informant lodged the present

case.



Submission of learned counsel for the petitioner is that in fact the passport issuing agency and police failed in proper verification of Enamul Haque and thereafter the present false case has been lodged. The F.I.R. does not disclose that the petitioner had stated before the verifying authority that Enamul Haque is a citizen of India nor the petitioner stated that he was holding or not holding any passport as citizen of India. The petitioner allegedly identified Md. Enamul Haque and there is no dispute that wrong person was identified as citizen of India.

Considering the aforesaid facts, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.20,000/-(Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nawada/Successor Court, in connection with Nawada Town (Bundelkhand) P.S. Case No.118 of 2016, with condition that petitioner shall fully cooperate with the investigation and trial of the case, failing which the Court-below shall be at liberty to take steps for cancellation of the bail-bonds of the petitioner in this case.

(Birendra Kumar, J)

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