

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 1813 OF 2019**

Gaus Sayed Ali Meer	...Applicant
Versus	
The State of Maharashtra	...Respondent

Mr. A. M. Moorthy for the Applicant

Mr. S. S. Hulke, A.P.P for the Respondent-State

SI Mr. Lahane from NRI Police Station, Navi Mumbai, is present

CORAM : REVATI MOHITE DERE, J.
THURSDAY, 1st AUGUST 2019

P.C. :

1 Heard learned counsel for the parties.

2 By this application, the applicant seeks his enlargement on bail in connection with C.R. No. 36 of 2019 registered with the NRI Police Station, Navi Mumbai, District Thane, for the alleged offences punishable under Sections 14 and 3(1) of the Foreigner's Act and Sections 3 and 6 of the Passport Act.

3 Learned counsel for the applicant submits that no offence as alleged is disclosed as against the applicant. Learned counsel for the

applicant has filed an affidavit-cum-declaration of the applicant, wherein he has stated that the name mentioned in the FIR as Gaus Sayed Ali Meer is incorrect and that his name is Gaus Soheb Meer. He has stated that he is not a Bangladeshi National but an Indian citizen having an Aadhar Card as well as PAN Card. He has given details of his Aadhar as well as PAN Card in the affidavit, in which his name is mentioned as Gaus Soheb Meer. He has further stated that Gaus Sayed Ali Meer and Gaus Soheb Meer are one and the same person.

4 Learned A.P.P has verified the PAN Card of the applicant and states, on instructions, that the said PAN Card which is produced by the applicant is of the applicant. He further states that on inquiry, it is found that the applicant is not Gaus Sayed Ali Meer but is Gaus Soheb Meer. Learned A.P.P states that the said documents were not handed over by the applicant, before filing the charge-sheet.

5 The applicant is in custody since five months. Investigation is complete and charge-sheet is filed. Having regard to the documents tendered by the applicant i.e. his PAN Card and the statement of the learned

A.P.P, the application is allowed and the applicant is enlarged on bail on the following terms and conditions :

ORDER

- (i) The applicant be released on provisional cash bail in the sum of Rs. 15,000/-, for a period of six weeks;
- (ii) The applicant shall within the said period of six weeks, furnish P.R. Bond in the sum of Rs. 15,000/- with one or more sureties in the like amount;
- (iii) The applicant shall attend the concerned Police Station on the first Saturday of every month between 10:00 a.m. to 11:00 a.m. for a period of 12 months from the date of his release, except if the date in the trial Court falls on a Saturday;
- (iv) The applicant shall not tamper with the evidence or attempt to influence or contact the complainant, witnesses or any person concerned with the case;
- (v) The applicant shall inform his latest place of residence and mobile contact number and/or change of residence or mobile details,

if any, from time to time to the Court seized of the matter and to the Investigating Officer of the concerned Police Station;

(vi) The applicant to cooperate with the conduct of the trial and attend all the dates before the trial Court, unless exempted.

6 The application is accordingly disposed of.

7 All concerned to act on the authenticated copy of this order.

REVATI MOHITE DERE, J.