

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54512 of 2023

Arising Out of PS. Case No.-220 Year-2023 Thana- SURSAND District- Sitamarhi

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1. DR. JAGDISH ADHIKARI son of Dr. Mahanth Yadav Village- Sangrampur Ps- Loharpatti Dist- Mahottari Nepal
 2. Vijay Kumar Yadav son of Kaheru Yadav Village- Khatta Pipradhi Ps- Loharpatti Dist- Mahottari Nepal
 3. Jivachh Sah son of Bhulhar Sah Sapahi Ward no-5, Mahendra Nagar Dist- Dhanusha Nepal

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Union of India through Ministry of Home, Govt. of India, New Delhi New Delhi

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sumit Shekhar Pandey
For the Opposite Party/s	:	Mr .Ram Sumiran Rai
For the Union of India	:	Dr. K. N. Singh, ASG

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 25-08-2023 Heard learned counsel for the parties.

2. The petitioners seek regular bail in connection with Sursand P.S. Case No. 220 of 2023, registered for the offence punishable under Sections 420/467/468/471/120(B)/212/34 of the Indian Penal Code and Section 14 of the Foreigner Act, 1946 and 12 of the Passport Act, 1967.

3. These three petitioners along with one Nigerian were arrested on the Indo Nepal boarder. It has been alleged by learned counsel for the petitioner that there is no allegation of any illegal act against the petitioners who are citizens of Nepal



and they are not required to carry any travel document for coming to India. The allegation that they were helping the Nigerian who had visited India and was going back to Nepal. The recovery doesn't seem to be of any contraband article.

4. Learned counsel for the petitioners submit that the petitioners are followers of ISKCON and they have clean antecedents and they are in judicial custody since 02.05.2023.

5. Learned APP has vehemently opposed the prayer for bail.

6. Considering the aforesaid fact, this application is allowed.

7. Let the petitioners, above named, be released on bail, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Sitamarhi in connection with Sursand P.S. Case No. 220 of 2023. One of the bailors of petitioners should be an Indian.

(Sandeep Kumar, J)

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