

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60636 of 2022

Arising Out of PS. Case No.-311 Year-2021 Thana- JAYNAGAR District- Madhubani

1. Christain Udochukwu @ Christian Udochukwo Son Of Nwadike R/O Village- Amikorlulga, P.S.- Orlu, State- Imo, Country Nigeria
2. Anthony Onuora Son Of Nwadike R/O Village- Amikorlulga, P.S.- Orlu, State- Imo, Country- Nigeria
3. Fidlis Obalim Son Of Okafor R/O Village- Asaba, P.S.- Patani, Distt.- Bomsak, State- Delta, Country- Nigeria

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Union Of India Through Ministry Of Home Affairs, New Delhi New Delhi

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Jha
For the Opposite Party/s : Mr.Uday Chand Prasad

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

7 31-07-2023 The petitioners are languishing in custody in a case registered for the offences punishable under Section 17 of the Citizenship Act, 1955 and under Section 14(A) (C) of the Foreigners Act, 1946.

It is alleged against the petitioners that the petitioners being citizens of Nigeria have entered into the Indian territory without having valid documents/visa.



They have entered the Indian Territory through Nepal boarder.

It is submitted by learned counsel for the petitioners that petitioners are innocent and they have not committed any offence. The petitioners are Football players and had come to Nepal with valid documents and Visa but after playing the football, the residents of Nepal who are co-accused in the present have suggested to go to India. Nothing has been recovered from the conscious possession of the petitioners. The petitioners are languishing in custody since 13.11.2021.

In contra, learned A.P.P appearing on behalf of the State has vehemently opposed the prayer for bail of the petitioners and submitted that petitioners have illegally entered into the Indian Territory without having valid documents/Visa.

Considering the facts aforesaid, this Court is not inclined to grant privilege of bail to the petitioners. The prayer for bail of the petitioners stands rejected.



The Trial Court is directed to expedite the trial
and conclude the same at the earliest.

(Sunil Kumar Panwar, J)

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