

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75384 of 2024

Arising Out of PS. Case No.-564 Year-2023 Thana- SURSAND District- Sitamarhi

Rakibul Islam Babu S/o Badal Goda Resident of Village- Madaripur ,Town -
Sadar ,P.S.- Madaripur, State - Dhaka, Country - Bangladesh

... .. Petitioner

Versus

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

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Dwij Raj
For the Opposite Party	:	Mr. Jharkhandi Upadhyay, APP
For the UOI	:	Mr. K.N. Singh, Sr. Advocate
		Mr. Amish Kumar, Advocate
		Mr. Shivaditya Dhari Singh, CGC
		Ms. Prakritika Sharma, Advocate

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 25-10-2024 Heard Mr. Dwij Raj, learned counsel for the petitioner, Mr. Jharkhandi Upadhyay, learned APP for the State , Mr. Dr. K.N. Singh, learned Additional Solicitor General of India assisted by Ms. Prakritika Sharma, Amish Kumar and Mr. Shivaditya Dhari Singh, learned CGC.

2. The petitioner seeks bail in connection with Sursand P.S. Case No. 564 of 2023 registered under Section 14 of Foreigners Act, 1946 and under Section 12 of Passport Act, 1967.

3. The petitioner is a Bangladeshi national. While the petitioner was trying to cross the Indo-Nepal border illegally, he was caught by the police. He is in custody since 13.10.2023.

4. Considering the facts of the case, I am not



inclined to grant bail to the petitioner. Accordingly, this bail application stands dismissed.

5. The Court below is directed to expedite the trial of the petitioner and conclude the same at the earliest. The UOI and the State will co-operate in the disposal of the trial and produce the witnesses on the date fixed.

6. The Superintendent of Police, Sitamarhi will see to it that the witnesses are produced on the date fixed in the trial.

7. The District Judge, Sitamarhi will also see to it that the trial is not delayed.

8. In case of non-cooperation by the prosecution in producing the witnesses, this Court will initiate appropriate action against the persons who are found to have been delaying the trial.

9. Let a copy of this order be communicated to the District Judge, Sitamarhi and the Superintendent of Police, Sitamarhi and the through FAX for its compliance.

(Sandeep Kumar, J)

Harshita/-

U		T	
---	--	---	--

