

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54594 of 2025

Arising Out of PS. Case No.-76 Year-2025 Thana- Haraiya District- East Champaran

Baraa Fawzi Haameed AL- Bayati Shri Fawzi At - Aldora, AL Sourta, Sector
840, House no. 48, Bagdad, Iraq Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Kr. Thakur, Adv
	:	Mr. Atif Inam, Adv
	:	Mr. Saba Ashfaq, Adv
	:	Mr. Ashar Akhtar, Adv
	:	Mr. Aiman Hassan, Adv
	:	Mr. Deepak Kumar, Adv
	:	Mr. Ankur Bhasin, Adv
For the Opposite Party/s	:	Mr. Sanjay Kumar Sharma, APP
For the UoI	:	Mr. Ratnesh Kumar, Sr. CGC
	:	Mr. Aditya Anand, Adv

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

5 10-09-2025 Heard learned counsel appearing on behalf of the

petitioner and learned APP appearing on behalf of the State.

2. The petitioner seeks bail in connection with Haraiya
P.S. Case No. 76 of 2025 registered for the offences under
Sections 3(ii)(a) and 14(a)(b) of the Foreigners Act 1946.

3. The petitioner is named in the F.I.R. and is in custody
since 22.06.2025.

4. The allegation against the petitioner is to enter into
Indian Territory without having valid visa on 16.06.2025.

5. Mr. Ajay Kr. Thakur, learned counsel appearing on
behalf of the petitioner submitted that petitioner is working as
Senior Technical In-charge (Recruitment) with M/s. Granada
Europe Construction subsidiary of M/s. BinGhatti Developers FZE
and he was looking for recruitment across India-Nepal Borders for



the company and its subsidiary company. In support of his submission learned counsel relied upon **Annexure No(s). P-3 & P-5 (colly)** of present petition. It is submitted that in recruitment process due to certain compelling circumstances petitioner entered into Indian territory on 16.06.2025 without having any valid visa, but was the holder of valid passport. It is submitted that taking note of nature of job and previous profile even Ministry of External Affairs recommended for grant of special permission to petitioner for visa. In support of the same learned counsel relied upon e-mail dated 18.05.2025 (**Annexure P-7**).

6. It is also submitted by learned counsel that petitioner is a man of clean antecedent and was never found involved in any anti-national activities or any criminal activities for that matter. It is also submitted that petitioner will provide 2 Indian bailors with sureties. While concluding the argument, it is submitted that investigation of this case has already completed, and as such, there is no chance of tampering with the evidence.

7. Learned counsel appearing on behalf of the FFRO, while opposing the prayer for bail could not disputed the aforesaid factual submissions, however it was submitted that certain conditions be imposed to secure the presence of petitioner before learned Trial Court.



8. In view of aforesaid factual submission and by taking note of nature of accusations, documents and annexures as discussed aforesaid, coupled with the fact as petitioner remains in custody since 22.06.2025, accordingly above named petitioner, is directed to be released on bail in connection with Haraiya P.S. Case No. 76 of 2025 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Raxual at Motihari, East Champaran/concerned court, subject to the conditions as mentioned under Section 480(3) of the B.N.S.S. with further conditions:-

(a). Both bailors shall be Indian, where one of the bailor shall be deponent of the present bail petition namely Vineet Priyadarshi, S/O Uday Kumar Sinha, Resident of Village : Maner, Near Primary School, District Patna.

9. The pending I.A., if any, be disposed of, accordingly.

(Chandra Shekhar Jha, J.)

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