

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74318 of 2024

Arising Out of PS. Case No.-58 Year-2024 Thana- RAXAUL District- East Champaran

Fang Genshan, S/O Fan Jin Xiang, Resident of Village - Yonghxing Town,
Weighi Country Henan, Province, China, Liu Funcheng (China).

... .. Petitioner/s

Versus

- 1. The State of Bihar
- 2. The Union of India, through the Secretary, Department of External Affairs,
New Delhi, India New Delhi

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Madhurendra Kumar, Advocate
For the State	:	Mr. Amitesh Kumar, APP
For the UOI	:	Mr. Amish Kumar, CGC

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

4 11-02-2025 Heard learned counsel for the petitioner, Mr. Amitesh Kumar, learned APP for the State and Mr. Amish Kumar, learned CGC for the UOI.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under Section 3 of Passport (Entry into India) Act and 14B of the Foreigners Act, 1946.

3. The case of the prosecution is that on 29.02.2024, the petitioner (Chinese citizen) was stopped by S.S.B. immigration officials while entering in India from Nepal via Raxaul and was brought to the immigration office for document verification. This petitioner was found to have no passport and visa while a soft copy of chinese passport and citizenship card was found in his mobile. The petitioner did not tell anything



during interrogation but from copy of the passport in his mobile it was found that the petitioner came to Kathmandu , from there he came to Birganj by bus and he was caught while entering into India.

4. Learned counsel for the petitioner has submitted that after the completion of trial, the petitioner has to be deported to China. It has also been submitted that report from the trial court has been submitted which goes to show that the trial will be concluded within six months.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, I am not inclined to grant bail to the petitioner at this stage, however, the petitioner is at liberty to renew his prayer for bail after six months if the trial is not concluded.

7. Accordingly, the present bail application stands rejected.

(Ashok Kumar Pandey, J)

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