

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.2721 OF 2025**

Mistri Jagdish Bhai	...Applicant
<i>Versus</i>	
The State of Maharashtra	...Respondent

Mr. Akshay Bankapur, for the Applicant.
Mr. S. M. Mangaonkar, APP, for the Respondent-State.
Mr Sachin Arun Chavan, PSI, attached to Panchvati Police Station,
Nashik, present.

**CORAM: MADHAV J. JAMDAR, J.
DATED : 1st OCTOBER 2025**

PC:-

1. Heard Mr. Bankapur, learned Counsel appearing for the Applicants and Mr. Mangaonkar, learned APP appearing for the Respondent-State.

2. This application is filed under Section 438 of the Code of Criminal Procedure, 1973 seeking pre-arrest bail in connection with C.R. No.360 of 2025 registered with Panchvati Police Station, Nashik, for the offences punishable under Section 14 of the Foreigners Act, 1946, Sections 3 and 6 of the Representation of the People Act, 1950, under Section 3(1) of Foreigners Order, 1948

and under Sections 3(5), 340(2), 336(3), 336(2) of the Bharatiya Nyaya Sanhita, 2023.

3. As per the prosecution case, Rehana Jalil Gazi is citizen of Bangladesh and she entered into India by paying Rs.15,000/- to the agent from Bangladesh. The allegation against the Applicant is that the Applicant has prepared forged and fabricated Aadhaar Card for said Rehana Jalil Gazi, who is the Bangladeshi citizen so that she can represent that she is an Indian citizen. The said Aadhaar Card is in the name of Kajal Munir Mulla and bears photograph of Rehana Jalil Gazi.

4. It is the submission of Mr. Bankapur, learned Counsel that except the statement to the above effect in the FIR, which has been lodged by the Police Officer, there is nothing else to connect the Applicant with alleged crime. He further submits that the Applicant is from Rajiv Nagar, Surat whereas, in the FIR it is mentioned that the Applicant is residing at Aarajang, Surat. He therefore, submits that as there is nothing to indicate that the Applicant is involved in the crime and therefore, the Applicant be granted pre-arrest bail.

5. On the other hand, Mr. Mangaonkar, learned APP strongly opposes the Anticipatory Bail Application. He submits that the allegations are very serious and therefore, the custodial interrogation of the Applicant is necessary. He points out statement of witness-Varsha Umesh Patel.

6. As per the prosecution case, the Applicant has prepared forged and fabricated Aadhaar Card for said Rehana Jalil Gazi, who is the Bangladeshi citizen so that she can represent that she is an Indian citizen. The said Aadhaar Card is in the name of Kajal Munir Mulla and bears photograph of Rehana Jalil Gazi. The material on record shows that said Rehana Jalil Gazi alias Kajal Munir Mulla was occupying a residential premises on Leave and License basis given by Varsha Umesh Patel. Said Varsha Umesh Patel has stated in her statement that the present Applicant had introduced said Rehana Jalil Gazi alias Kajal Munir Mulla to her and on the basis of the said fabricated Aadhaar Card, she entered into Leave and License Agreement with said Rehana Jalil Gazi. Thus, it is clear that the material on record shows the involvement of the Applicant in the serious crime.

7. The offence is very serious. Thus, the custodial interrogation of the Applicant is necessary. Accordingly, no case is made out for grant of pre-arrest bail to the Applicant.

8. The Anticipatory Bail Application is dismissed.

[MADHAV J. JAMDAR, J.]

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