

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52661 of 2026

Arising Out of PS. Case No.-586 Year-2025 Thana- GOPALGANJ TOWN District-
Gopalganj

Asraf Ali son of Jalil Ahmad Resident of Village -Hardiya PS -Thawe Distt
-Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vikash Kumar Shukla, Advocate
For the Opposite Party/s : Mr. Md. Mushtaque Alam, APP

CORAM: HONOURABLE MR. JUSTICE RITESH KUMAR
ORAL ORDER

2 29-07-2026 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Gopalganj (Town) P.S. Case No.586 of 2025 for allegedly
having committed offences under Sections 318(4), 336(2), 338
and 340(2) of the B.N.S.

3. As per the First Information Report, which has been
lodged on the basis of the written report submitted by the
informant, to the effect that he has been informed through the
Regional Passport Office, Maurya Lok Complex, Patna with
regard to Case File No. PAW069864428024 dated 09.01.2025
that the applicants i.e. the petitioner and his wife have submitted
a forged birth certificate of their son for obtaining a new



passport, which is a cognizable offence.

4. The learned counsel for the petitioner submits that the petitioner had earlier applied for issuance of a passport for his son and subsequently he received a letter dated 23.07.2024 from the passport authorities for taking appointment at Regional Passport Office, Patna and for furnishing all the original documents and for an explanation with regard to any discrepancies. Thereafter an explanation was given with all the relevant documents and he received an information on 24.02.2025 issued by the Regional Passport Office, Patna informing him that the earlier application has been closed. He further submits that although the allegation has been levelled with regard to producing forged birth certificate, however no passport was issued on the said forged birth certificate and the petitioner was given liberty by the passport office to apply afresh by giving all the relevant documents. He further submits that the petitioner has got a clean antecedent.

5. *Per contra*, the learned A.P.P. appearing on behalf of the State opposes the prayer for grant of anticipatory bail to the petitioner and submits that the petitioner by using forged document tried to obtain passport for his son.

6. Having considered the rival submissions and after



going through the records, it appears that the petitioner had applied for issuance of passport for his minor son by annexing certain documents, however during course of enquiry, the birth certificate of his minor son was found to be forged and later on the present First Information Report has been lodged. Subsequently said application of the petitioner was closed and he was directed to submit a fresh application, by annexing all the relevant documents.

7. Taking into consideration the facts aforesaid and the fact that on the basis of the forged birth certificate, no passport was issued, let the petitioner, above-named, in the event of his arrest or surrender within a period of six weeks, be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Gopalganj in connection with Gopalganj (Town) P.S. Case No.586 of 2025, subject to the conditions laid down under Section 482(2) of the B.N.S.S. with a further condition that:-

The learned court concerned shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court concerned shall take steps for cancellation of his bail



bond. However, the acceptance of bail bond in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Ritesh Kumar, J.)

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