

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70782 of 2024

Arising Out of PS. Case No.-45 Year-2024 Thana- GALGALIYA District- Kishanganj

Md. Ashraf Ali @ Agraf Ali @ Asraf @ Asraf Ali S/o Amin Ul Haq @ Aminul Haque R/o Bhola Barisal Sadar, P.O.- Omarpur, P.S.- Char Fashion, District- Bhola, Sub-District- Barisal Sadar, Ukhia, Cox Market, Bangladesh. Pin Code- 8332

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Dilip Kumar Singh, Advocate
For the State	:	Mr. Shailendra Kumar, APP
For the U.O.I. (S.S.B)	:	Mr. Anshay Bahadur Mathur, C.G.C.

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY

ORAL ORDER

8 03-02-2026 Heard learned counsel for the petitioner, learned counsel for the U.O.I. and learned APP for the State.

2. In this case, the petitioner is seeking regular bail in connection with Galgalia P.S. Case No. 45 of 2024, registered for the offences punishable under Sections 465, 467 of IPC and 14(a), 14(b) and 14A of Foreigners Act, 1946.

3. As per allegation, on 08.06.2024, SSB personnel patrolling the Indo-Nepal border detained the petitioner on suspicion of illegal entry. Upon questioning, he confessed to being a Bangladeshi citizen carrying a forged Aadhar Card for livelihood purposes and produced a genuine Bangladeshi I.D. Card.

4. The learned counsel for the petitioner has



submitted that the petitioner is innocent and has falsely been implicated in the present case. The petitioner is a simple tailor who inadvertently approached the border only for his livelihood without any malicious intent. He did not stay in India for a single day. He is a person of clean antecedent and is in custody since 09.06.2024

5. On the other hand, the learned counsel for the Union of India opposed the prayer for bail of the petitioner by submitting that the petitioner is a foreigner (citizen of Bangladesh) and he forged his Aadhar Card to enter in India. It has further been submitted that under Section 14 of the Foreigners Act, 1946, a foreigner cannot be entitled for the privilege of grant of bail.

6. Considering the above-mentioned facts and circumstances, presently, I am not inclined to grant bail to the petitioner. Accordingly, it is rejected.

7. The learned Court is directed to conclude the trial within a period of six months.

(Nawneet Kumar Pandey, J)

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