

IN THE HIGH COURT OF JHARKHAND AT RANCHI

A.B.A. No. 2427 of 2020

1. Akhtrul Aman

2. Sajid Khan.

.....**Petitioners**

Versus

State of Jharkhand

....**Opposite Party**

Coram: THE HON'BLE MR. JUSTICE RONGON MUKHOPADHYAY

For the Petitioners : Mr. Indrajit Sinha, Advocate

For the State : Mr. Suraj Verma, Special P.P.

02/31-8-2020 Heard the parties.

Defect No. 9 (i), as pointed out by the office, is ignored.

The petitioners apprehend their arrest in connection with Sadar P.S. Case No. 44 of 2020.

It has been alleged that seven foreigners had stayed at Chaibasa Jama Masjid after attending the Tabliki Jamat convention at Delhi. It has further been alleged that the foreigners had violated the VISA conditions. The petitioner no.1 is a government teacher who was the deputy secretary of Jama Masjid, Chaibasa while petitioner no. 2 is a businessman and is the treasurer at the same place.

It has been submitted by the learned counsel for the petitioners while referring to Rule 14 of the Registration of Foreigner Rules, 1992 that the petitioners cannot be termed to be the hotel keeper and even otherwise and the same is not a punishable offence.

Learned special P.P. has opposed the prayer for anticipatory bail of the petitioners.

It has been alleged that the arrival of the foreigners were never informed to the local administration, though the same was subsequently done. According to learned counsel for the petitioners, the same do not constitute any offence under the Foreigners Act or under the Registration of Foreigner Rules, 1992. On consideration of the aforesaid facts, I am inclined to extend the privilege of anticipatory bail to the petitioners.

The petitioners, named above, are accordingly directed to surrender in the court below within a period of four weeks from today and pray for regular bail, and in that event, they will be enlarged on bail, on furnishing bail bond of Rs.10,000/- (Ten thousand only) each with two

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sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Chaibasa, in connection with Sadar P.S. Case No. 44 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This application stands allowed.

(Rongon Mukhopadhyay, J)

Rakesh/-