

**In the Court of Sessions Judge, Supaul**  
**B.A.-143/2026 and BA-176/2026**  
**(Arising out of Kunauli P.S. Case No.09/2026)**

	<p><b><u>BA-143/2026</u></b></p> <p>Pramod Prasad, S/o- Binod Prasad Mali, R/o- Malekpur, PS- Pathargadha, District-Saptari(Nepal);          .....Accused/Petitioner          Vs.          State of Bihar .....O.P.</p>	
<b><u>18/03/26</u></b>	<p style="text-align: center;"><b><u>BA-176/2026</u></b></p> <p>Md. Bilal, S/o- Md. Sharif, R/o- Lalganj Purauli, PS- Dalmu, District- Raebareli (U.P);          .....Accused/Petitioner          Vs.          State of Bihar .....O.P.</p> <hr/> <p>Ld. Counsel for petitioners Sri. Shiv Bhushan Singh and Sri. Shilbhadra Kumar Singh, Advocates.</p> <p>Ld. PP Sri. J.N.Pandey, for the State.</p> <p>By this order we are going to dispose off two bail applications i.e., BA No.143/2026 filed on behalf of accused/ petitioner, namely Pramod Prasad, who is in judicial custody since 30.01.2026 and BA No.176/2026 filed on behalf of accused/ petitioner namely Md. Bilal, who is in judicial custody since 30.01.2026. As both the bail applications arises out of same P.S. i.e., Kunauli P.S. Case No.09/26, u/s- 318(2), 3(5) of BNS and section 14(A)/23/24 of Immigration &amp; Foreigners Act, 2025 and 13/14 of the Passport Act, 1967.</p> <p>Ld. counsel for the accused/ petitioners argued that accused/ petitioners are quite innocent and have committed no crime and they have falsely been implicated in this case due to local politics and enmity. They further submitted that accused/ petitioners have not involved in any other case and having the clean antecedent. They further submitted that the offence as alleged in FIR is not applicable against the accused/ petitioners. It is also submitted that both the accused/ petitioners are in judicial custody since 30.01.2026 and no useful purpose would be served by keeping the accused/ petitioners behind the bar.</p> <p>Ld. PP for the State strongly opposed the prayer of bail application.</p> <p>In brief, the prosecution story is that on dated 29.01.2026, Sub-Inspector (General), Sudeep Kumar Nath, presently posted at 45<sup>th</sup> Battalion at Kunauli along with other police personnel of SSB was posted at International Border, check post No-2 for routine duty and about about 01:10 P.M., from Nepal side one girl along with 4 boys were coming towards India side and tried to go towards Kunauli market. All five persons were apprehended by the SSB Team and they were duly interrogated and during the course of interrogation, the girl/ female has disclosed her name as Iti Akhtar, D/o- Mohammad Harun Rashid, R/o-</p>	Contd.

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Gajipur, District- Gajipur Irshad Nagar (Bangladesh) and the boys were disclosed their names as Md. Shakib, resident of District-Raebareli (U.P), Md. Bilal, resident of District-Raebareli (U.P), Pramod Kumar, resident of District- Saptari (Nepal) and Ramesh Kumar, resident of District- Saptari(Nepal). Thereafter, the police has interrogated them and demanded the proper documents from them. The girl has produced a Bangladeshi Passport. Thereafter, she was duly interrogated and she disclosed to the SSB team that she is the resident of Bangladesh and took the Visa from Bangladesh to Nepal and thereafter tried to enter into India. She further disclosed to the police that she along with Md. Shakib and Pramod Kumar were working in some job at Jordan since last several years and she has solemnized the marriage with Md. Shakib and now trying to go to Raebareli(UP) through India. She further disclosed to the police that she has attempted several times to procure the Indian Visa but the same has not been obtained. Thereafter, she took the Visa from Dhaka to Kathmandu(Nepal). Accused Md. Shakib also disclosed to the SSB Team that he and Iti Akhtar are the husband and wife and they have solemnized the marriage at Jordan. However, they have not produced any valid document of marriage. From the apprehended accused, one mobile phone, TAB and the passport was recovered and the same was duly sealed by the SSB Team and handed over to the local police. Thereafter, on the basis of the above-said written application, the police of PS Kunauli registered the case under different section of BNS and Immigration & Foreigners Act as well as Passport Act.

Argument heard from both sides and perused the record as well as case diary. Admittedly, both the accused/ petitioners are in judicial custody since 30.01.2026. On going through the case diary, it transpires that the police has also sealed the passport, mobile phone and TAB of the apprehended accused persons and also recorded the disclosure statement of the apprehended accused persons. The police has also submitted the CCTV Footage of Indo-Nepal Border and also recorded the statement of the witnesses namely H.C Rakesh Kumar, Assistant Sub-Inspector(General) Sanjay Kumar, constable Pappu Kumar and lady constable Kodem Kalyani and they have duly supported the prosecution case. The statement of the accused Iti Akhtar was also recorded and she admitted that she is a Bangladeshi citizen and through Nepal trying to enter into India. On minute scrutiny of the entire case diary as well as the materials available on record, it transpires that a Bangladeshi Citizen in order to enter into India, procure the Visa of Nepal and fraudulently trying to enter into India through Indo-Nepal, Border. The accused/ petitioner Pramod Prasad is a Nepali Citizen and accused/ petitioner Md. Bilal is also

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**18/03/26** resident of District- Raebareli (U.P) and they have assisted the accused Iti Akhtar to enter into India through Nepal. All the facts are the grave concern of national security. The allegation against both the accused/ petitioners are very serious in nature and there is threat of national security that a Bangladeshi Citizen was trying to enter into India through Nepal. Both the accused/ petitioners are the resident of District Saptari(Nepali) and Raebareli (U.P) respectively and absconding of the accused/ petitioners is also cannot be ruled out. The investigation of this case is in primary stage.

Hence, taking into consideration the seriousness of the allegation, I find that both the accused/ petitioners are not entitled to be enlarged on bail. Therefore, the bail application, filed on behalf of both accused/ petitioners, namely Pramod Prasad and Md. Bilal stands, **Rejected.**

Dictated  
-Sd-  
(Anant Singh)  
Sessions Judge, Supaul