

not been recorded. The petitioner requires a valid Indian passport and other necessary travel documents for work-related purposes abroad; however, since he is the 5th accused in the above case, the Passport Authority is unwilling to issue a passport without prior permission from this Hon'ble Court under the provisions of the Passport Act. The petitioner/5th accused has been strictly complying with all bail conditions imposed upon him and undertakes to continue appearing before the Court at such place and time as may be directed. It is therefore respectfully submitted that permission may kindly be granted to the petitioner/accused No.1 to obtain a passport and travel documents valid for a period of three years for work-related purposes abroad, failing which he will suffer severe hardship and irreparable loss.

3. Notice of the application was given to the learned APP.

4. The prosecution has filed a report stating that the investigation in the above case has been completed, the charge sheet has been filed before this Hon'ble Court, and one witness has already been examined. It is further submitted that if the present petition is allowed at this stage, there is a likelihood that the petitioner/accused No.5 may travel abroad, which could adversely affect the progress of the trial. Hence, it is prayed that this Hon'ble Court may be pleased to take an appropriate decision in the matter.

5. Heard both sides.

6. On perusal of the records, the petitioner/accused is the 5th accused in the above case and he has been charged with offences punishable under Sections 25(1)(B)(a), 27(1) of Arms Act it is seen that the investigation in this case has been completed, and the case is presently under trial before this Court. The trial has already commenced, and it would not be in the interest of justice to deprive the petitioner of his means of livelihood. Though sufficient conditions can be imposed to safeguard the trial process, it is not proper for this Court to issue a direct direction to the Passport Authority to grant a passport. The issuance of a passport is a matter to be decided by the competent authority upon consideration of a valid application submitted by the petitioner. However, this Court finds that there can be a communication stating that, as far as this case is concerned, this Court has no objection to the Passport Authority issuing a fresh passport to the petitioner for a period of two years, subject to due consideration of a proper application. Considering the above aspects, the petition is allowed subject to the following conditions: —

- (i) The petitioner/Accused No.5 shall file an affidavit stating that he will be complying with the above conditions.
- (ii) The petitioner/Accused No.5 shall furnish his passport details before this court within 2 weeks before this court.
- (iii) The petitioner/Accused No.5 shall not leave India without the prior permission of the court.

It is also hereby expressed that this court has no objection in issuing a fresh passport for a period of 2 years to the petitioner with regard to the above case. The decision in this regard may be taken by the passport authorities after considering the merits of a proper application.

(Pronounced by me in open court on this 13th day of November
2025)

sd/-

JUDICIAL FIRST CLASS MAGISTRATE-I

//True copy//

JUDICIAL FIRST-CLASS MAGISTRATE-I
SULTHAN BATHERY