

**IN THE COURT OF J.M.F.C(COG.TAKING-V), BHUBANESWAR**

**CT 1488/2025**

**Arising out of Airport P.S. case No. 274/2025**

**State**

**Vrs.**

**Bindo Choudhury**

**.....Accused**

13.10.2025 Ld. Advocate Sri A.K. Sharma and associates filed V.nama along with successive bail petition praying to enlarge the accused Binod Choudhury, S/o-Raj Kapoor Choudhury on bail on the grounds stated therein which is accepted. Copy of the petition served on Ld. APP.

Heard the ld. defence counsel as well as ld. APP. During the course of hearing, it has submitted by the ld. defence counsel that the present accused are totally innocent and he has been falsely implicated in this case. It is also submitted that it is an obligatory duty of every judicial magistrate to protect the fundamental right of the citizen living under its jurisdiction and the rule of law relating to bail application is mainly focused on the settled principle of law "Bail is a rule and Jail is an exception he also relied upon the judgments passed by the Apex Court in Gurbakshaing Sibbia Vrs. State of Punjab, 1980 SC to SCC 565 and Satender Kumar Antil Vrs. C.B.I. He also submitted that prosecution with malafide intention mislead the court by giving false information against the alleged accused. The petitioner was given interim protection from arrest by Hon'ble High Court of Allahabad where upon the same cause of action the accused was arrested for having illegal passports. In spite of the order of Allahabad High Court the present petitioner was arrested by the Airport PS on 23.08.2025 basing upon the FIR lodged by immigration check post, BPI Airport Bhubaneswar. As unnecessarily without any fault the petitioner is inside the jail custody since the date of arrest he prayed to release the accused on bail. On the other hand, ld. APP vehemently objected to the bail petition and she submitted that accused knowingly does this act in spite of LOC has been issued against him relating

to the passport he is fraudulently obtaining passport by changing his name and his parents name so the bail petition should not be allowed.

Perused the case record including all other materials as available before this court and found that the present accused has been forwarded in this case on the allegation that at the time of checking the immigration department at BPI Airport it was seen that LOC has been issued against the petitioner vide LOC No.2025421174 and he holds two numbers of passports previously in the name of Binod Kumar vide Passport No. H5944557 and E7768290. From the forwarding report as well as the documents submitted by the Ld. Defence Counsel it comes to notice that the petitioner was also involved in Gola PS Case No.6, dated 07.01.2025 U/s.419/420/467/468/471 IPC r/w. Sec. 12 of Passport Act and an interim protection order has been passed by Allahabad High Court "till the next date of listing or cognizance is taken by the court on police report submitted U/s.193(3) BNSS whichever is earlier the respondent are restrained from arresting the petitioner pursuant to the first information report dated 07.01.2025 register as PS case No.6/2025 U/s. 419/420/467/468/471 IPC r/w. Sec. 12 of Passport Act". The question here arise in spite of look out circular and the order of the Hon'ble High Court the petitioner travelled inside and outside countries by showing the forged passport as genuine. As he again did the same act which was previously detected by Gola Police and again by immigration officer during his departure. In this present case the investigation is in nascent stage and as prima facie the alleged offence is well established against the accused person so allowing such petition at this stage might hamper the investigation as well as there is every possibility that the accused might be fled away from India. The petitioner is not residing within the local jurisdiction of this court as he belongs to UP. Hence, considering the nature and gravity which the record reveals, this court is not inclined to release the accused on bail. Hence, the bail petition is rejected.

Issue free copy of this order, if applied for.

Sd/-

J.M.F.C.-V, Bhubaneswar.

True copy  
Dt. 13.10.25  
CSI  
Sadar Court  
Bhubaneswar

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CT 1488/2025

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State

Vrs.

Binod Chaudhury @ Vinod Kumar

.....Accused

23.08.2025 Ld Adv. Smruti ranjan Panda and associates filed V.nama on behalf of the accused Binod Chaudhury @ Vinod Kumar along with a bail petition with a prayer to enlarge the accused Binod Chaudhury @ Vinod Kumar on bail on the ground stated therein. The V. Nama is duly executed and the same is accepted. Copy of the said petition is served upon the learned APP.

Heard the Id. defence counsel as well as Id. APP. During the course of hearing, it has submitted by the Id. defence counsel that the present accused is totally innocent and he has been falsely implicated in this case. It is also submitted that the accused has been forwarded in this case on dtd. 22.08.2025 without having any fault accused is residing within the jurisdiction of this court so in each date of trial he will remain present and cooperate with the court's procedure. With the above submission, it is being prayed that the accused may kindly be released on bail. On the other hand, Id. APP vehemently objected to the bail petition.

Perused the case record including all other materials as available before this court and found that the present accused has been forwarded in this case on the allegation that on 22.08.2025 at about 21.40 PM one person namely Binod Chaudhury @ Vinod Kumar of Uttar Pradesh departed to Bangkok (Thailand) by Flight No. 6E-1065, during the departure clearance it was found that the LOC has issued against the person vide LOC No. 2025421174 dated 13.06.2025. From the verification it is ascertained that the said person hold another passport No. H5944557 as Vinod Kumar having DOB 05.07.1985 parents name Raj Kapoor and Kusum Devi, the person is same having both the passports in different names and DOB from which it is clear that the person concerned obtained the second passport No. V0780505 fraudulently with mollified intention. On further perusal it is come to notice that he is also involved in Gola P.S Case No. 06 dated 07.01.2025 U/s- 419/420/467/468/471 of IPC R.w Section 12 of Passport Act and from the Hon'ble High Court of Allahbad he was on interim bail and during the said period again he has committed the present offence which prima facie attracts the alleged offence U/s- 319(2)/318(4)/326(2)/338/336 of BNS. Considering the nature and gravity and criminal antecedent and the rising issues relating to such matters which