

Immigration bond ko samajhne ki vidhi Understanding Immigration Bonds- Hindi

Immigration bond kya hota hai?

Bond woh paise hain jo ek insaan Department of Homeland Security ko deta hai yeh vishwaas dene ke liye ki yadi mujhe jail se riha kar diya gaya toh main harr aage aane wali nyayalaya ki tareekh par (aur ICE se milne ki tareekh par) parstut hounge.

Bond ki keemat kitni hoti hai?

Kanooni aadhaar par, sabse kam bond ki keemat \$1,500 hai. Zyada ki koi seema nahin hai. Minnesota mein, zyadatar bonds \$5,000-\$15,000 ke beech hote hain par isse bahut zyada bi ho sakte hain.

Bond ki maang main kaise karoon?

- Aap ICE se bond ki maang kar sakte hain. Agar woh bond ki keemat laga dein, tab aap usse chuka kar bahar nikal sakte hain. Agar woh bond ki keemat nahin lagate, ya bahut zyada lagate hain toh aap immigration judge ke saamne hone wali bond ke liye sunwayi ki maang kar sakte hain. Par judge ke saame bond maangne ka matlab yeh nahin hai ki woh aapko mil hi jayega. Aapko apna case saabit karna hoga.
- Aap immigration judge se apne ICE dwara lagaye bond ki keemat ko kam karne ke liye sunwayi ki bhi maang kar sakte hain. Judge tab aapke bond ko kam kar sakta hai, wohi rakh sakta hai ya aapko bina bond ke qaid mein rehne ka order de sakta hai.

Kya mujhe ek Vakeel ki zaroorat hai meri madad ke liye?

- Aapke paas Vakeel ko rakhne ka adhikaar hai par vakeel karna zaroori nahin hain. Nyayalaya aapko vakeel nahin dega. Agar aapko Vakeel chahiye toh aapko khud dhoondna hoga aur uska kharcha bhi khud karna hoga. Judge aapko free ke vakeel ki ek soochi de sakte hain par unko call karke baat aapko khud karni hogi aur khud poochna hoga ki kya woh aapka case le sakte hain. Ho sakta hain ki woh aaka case na ladd sakein. Aise free vakeel wali sansthaon ko call jail se free hoti hai. Iske alawa aur bhi kaafi vakeel hain ko free case ladte hain par unka naam iss suchi mein nahin hoga.
- Zyadatar bond aur immigration ke case mein Vakeel dwara lade gaye case mein khud lade case ke mukable. jeet honi zyada aasaan hoti hai. Vakeel se baat karne ke baad sochna behtar hota hai ki case khud ladna hai ya vakeel ke dwara. Par vakeel se baat karna ya vakeel rakhna zaroori nahin hai.
- Agar aapko samajh nahin aa raha ki vakeel karna chahiye ya nahin, ya phir aako samay nahin mila ek vakeel se baat karna ka toh aap judge se nyayalaya ki tareekh ke doraan aur samay maang sakte hain. Woh aapko vakeel se baat karne ke liya samay de denge. Agar aap samay maang rahe hain toh judge aapko jab aap tyaar ho, tab ek bond maangne ki nayi peshgi dene ko kahenge. Par aapka immigration case tab bhi chaalu rahega, bhale hi aap jail mein band hone ka baad vakeel dhoond rahe hain. Usmein aseemit samay nahin diya jaata.

Judge mere bond ke baare mein kaise faisla lega?

Judge teen cheezon pe pehle faisla lega yeh kehne ke liye ki aapko bond diya ja sakta hai:

- Ki aap bond paane layak hain. Kuch aapradhik pratibaddhataon ki wajah se aap bond paane layak nahin hote hain jaise ke drugs se sambandhit aapradh aur "aggravated felonies" kehlane wale aapradh. Iske alawa aapko bond nahin mil sakta agar aapko US ke andaar aate hue pakda gaya tha, agar aapko US se pehle deport kiya gaya hai ya phir aapke khilaaf final deportation order nikala ja chuka hai.
- Ki aapse janmanush ko khatra nahin hai. Yeh judge aapke aapradhik itihaas ke adhaar pe niradharit karta hai. Iske liye Judge aapki puraani kanooni sazaa, girftarri ki report, police report, aapke upar chal rahe kanooni apradhik mamle, koi saboot jo aapke punarvaas ko darshaate hain, aur koi bhi

dikhaye gaye sabooton ke dekhenge. Agar judge ko aap janta ke liye khatarnaak lagte hain toh aapko bond nahin milega.

- Ki aap bhaag jaane wale nahin hain. Judge dekhte hain ki aapke aas paas ke samudaay mein rishte hain, aap raahat paane ke layak hain, aur aap baaki nyayalaya ke mamlon mein upasthit hote hain. Isse unhein lagta hai ki aap aane wali deportation mamle ki nyayalaya ki tareekh par aayenge agar aapko jail se riha kar diya jaaye.

Main judge ko kaise manaa sakta hoon ki woh mujhe bond de dein?

Judge aapko batayenge ki aapke upar “the burden of proof” hai. Iska matlab hai ki aapko judge ke saamne yeh saabit karna hai ki aap khatarnaak nahin hai aur aap bhaagne wale nahin hai. US Sarkaar yeh saboot pesh karegi ki unhein kyun lagta hai ki aapko jail mein hi rehna chahiye.

- Judge ko likhit saboot chahiye honge. Khaali aapke mokhik sabad/ kathit wada kaafi nahin hai. Janm pramaanapatr, parivaarjano ke green card, aarthik kamayi ke saboot, paadariyon ki sahyog ki chitthi, niyoktaon ki sahyog ki chitthi, doston ki sahyog ki chitthi aur punarvaas ke sabot, yeh sab ismein upyogi hote hain. (Aap handout maang sakte hain yeh jaane ke liye ki inhein kaise prastoot karte hain)
- Saare dastavez Angrezi mein hone chahiye ya unka pramaanit Angrezi anuvaad saath laga hona chahiye.
- Yeh dastaavez jail se ikaththa karna mushkil hota hai. Parivaarjan ya vakeel aapko ismein sahyog kar sakte hain. Ek Vakeel yeh bhi dekh sakta hai ki kaunse dastaavez zaroori hain aur kaunse nahin aapke case mein. Ek Vakeel aapke bond dastavezon ko angrezi mein anuvaad karwane mein bhi madad kar sakte hain.

Agar judge ne mujhe bahut adhik keemat ka bond lagaya toh kya hoga?

- Aapko bond ki keemat turant nahin deni hai. Aur isko aapko khud bhi dena zaroori nahin hai – isse koi bhi jo US mein kanooni taur aaya hua hai ya reh raha hai, woh isse de sakta hai. Par jab tak bond nahin diya jaata, tab tak aapko riha nahin kiya jaayega.
 - Dhyaan den- yadi aapko ya aapke parivaarjano ko aapka bond dene ke liye koi dhamka raha hai, toh aapko turant ek immigration attorney ko sampark karna chahiye taaki woh iski soochna de sake—Aapka bond dene ke liye kissi ka jor jabardasti se aapse ya aapke parivaar walon se kaam karwana ya yon sambandh banane ke liye majboor karna gair-kanooni hai.
- Minnesota Freedom Fund, ek gair-laabhakaaree samudaay nidhi hai, aur yeh aapka bond de sakti hai. Aapke liye kissi ko inse anurodh karna hoga iss website par : mnfreedomfund.org

Kya hoga agar Judge ne mujhe bond nahin diya?

- Aapko bond dene ke liye sirf ek baar hi adaalat mein arzi di ja sakti hai. Agar nyayalaya ne aapko sunwayi ke baad, bond dene ke liye mana kar diya toh, aap jail mein hi rahenge jab tak aapke deportation case ka faisla nahin aata. Jab tak ki koi badi paristhiti nahin badalti jaise ki aapke khilaaf chal rahe aapradhik mamlon mein se aapka chhut jaana, ya aapka kissi mili hui aapradhik sazaa se kanooni taur pe bach jaana, chhut jaana, maafi mil jaana, ya mamle ka faisla badal jaana, tab tak aapko dusri bond ki sunwayi nahin milti. Isliye yeh bahut zaroori hai ki aap bond ki sunwayi se pehle poori tyaari kar lein.
- Aap judge ke faisle ke khilaaf sunwayi maang sakte hain. Iska matlab hai ki aapko unse upar ki adaalat mein maamle ki phir se sameeksha karwani hogi, jo ki hai Board of Immigration Appeals (BIA). Yeh BIA ya toh pehle judge ke faisle ko maan sakti hai ya badal sakti hai. Agar aapko yeh sunwayi karwani hai toh pehle judge hi aapko isse sambandhit prapatr aur nirdesh de denge. Jab tak iss sunwayi ka faisla nahin aata tab tak aap jail mein hi rahenge.

Kya mujhe bond ke paise wapas milenge?

- Agar aap harr nyayalaya ki sunwayi ke dauran upasthit hote hain aur judge dwara diye gaye ya ICE dwara diye gaye saare nirdesh maante hain, yahan tak ki desh se chale jaane ka nirdesh agar aisa hota hai toh, tab aapka immigration case khatam hone ke baad, woh bond ke paise jisne diye hote hain, usse wapas mil jaate hain. Par ICE who paise rakh sakta hai agar aapne saare nirdesh nahin maane ya aap court hi sunwayi par nahin gaye.

Yaad Rakhein

- Bond ki sunwayi deportation/removal ki sunwayi se alag hoti hai. Agar aapko bond ki sunwayi chahiye toh iski aapko alag se darkhaast deni hoti hai. Yeh sirf likhit mein ya phir khud judge se deportation/removal ki sunwayi ke dauran maangne se hi di ja sakti hai.
- Sirf ek baar hi bond ki sunwayi hoti hai toh saare dastavezon ke saath pehle se hi पूरी tyaari zaroori hai.
- Harr kissi ko bond nahin milta. Immigration kanoon ke hisaab se kuch logon ko bond nahin mil sakta. Iske alawa, immigration judge bhi yeh faisla kar sakta hai ki aapko riha nahin kiya jaana chahiye aur aapko bond manaa kar sakta hai.
- Bond ki sifaarish ke mamle mein chahe kuch bhi ho, aapka immigration ka mamla chalta rehta hai. Aap jail mein ho ya bond se baahar yeh mamla chalu rahega.
- Immigration ka mamla aapke upar chal rahe, aage aane wale ya puraane aapradhik mamlon se alag hai. Ismein alag nyayalaya, alag judge aur alag vakeel hote hain. Aapradhik nyayalaya se bail milne ka matlab yeh nahin hai ki aapko immigration court se bond bhi mil jayega. Aur agar aapne apne aaprahik bond ke liye koi paise diye hain toh woh paise aapke Immigration bond mein nahin jode ja sakte hain. Immigration bond ke paise isse alag hote hain.
- Vakeel karna zaroori nahin hai par vakeel se aapka maamla majboot hota hai aur jeetne ki zyada sambhavna hoti hai.

Yeh dastavez The Advocates for Human Rights, Minneapolis, MN ne banaya hai. Yeh Kanooni salah ka vikalp nahin hai.

© December 2021