

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35387 of 2016

Arising Out of PS.Case No. -262 Year- 2016 Thana -KISHANGANJ District- KISANGANJ

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1. Umesh Nandan Sinha Son of late Raj Nandan Prasad Sinha, Resident of Subhashpalli, P.S. Kishanganj, Dist Kishanganj.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prashant Sinha, Advocate

For the Opposite Party/s : Smt. Madhuri Lata, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 21-10-2016 Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in a case instituted for the offences under Sections 295(A), 500, 501, 504(B), 153, 505(2) and 506 of the I.P.C. and Section 66(A) of the Information Technology Act, 2000.

The prosecution story, in brief, is that the informant is the Chairman of Press Club, Kishanganj and has formed a Whatsapp group for exchange of new items. It is further alleged that on 27.6.2016 the petitioner being a member of the group, posted one message to the group, which was indecent towards a particular community. The informant immediately removed the petitioner from the group, obtained the screen shot of the message and lodged the F.I.R. against the petitioner.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 30.6.2016 and the charge sheet has been submitted in the present case. The petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has been made accused due to mistake of fact. Petitioner is 79 years old. He is retired Professor of the B.N. Mandal University. There is no substantive evidence to suggest his implication in the present case.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, it is directed that the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/-(Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Kishanganj in connection with Kishanganj P.S. case No.262 of 2016.

(Sudhir Singh, J)

Narendra/-

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