

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1403 of 2017

Arising out of PS.Case No. -528 Year- 2016 Thana -KISHANGANJ District- KISANGANJ

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Ratneshwar Jha @ Shri Ratneshwar Jha, son of late Kapileshwar Jha,
resident of Kasera Patti, P.S. and Distt. Kishanganj.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Nikhil Kumar Agrawal, Advocate.

For the Opposite Party : Mr. Chandrasen Prasad Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 16-01-2017 Heard learned counsel for the petitioner and the State.

The petitioner seeks anticipatory bail in a case instituted for the offence under Sections 295(A), 500, 501, 504(B), 505(2), 506, 153 of the Indian Penal Code and Section 66(A) of Information Technology Act, 2000.

As per the written report, an objectionable message was posted by Ratneshwar Jha, Journalist Dainik Bhaskar (petitioner) on Whatsapp group in the name of 'Press Release of JDU' run by the informant Kamal Anjum on 19.11.2016 at about 12:14 a.m. with intention to outrage the religious feeling of the community and of breaking peace and harmony. The snap shot of aforesaid message is enclosed on page 15 of the bail petition.

The petitioner has brought on record the annexure-2 which is the letter sent by the informant to the District Public



Information Officer, Kishanganj, wherein it has been mentioned that inadvertently, the aforesaid post was done by him on the Whatsapp group and he has apologized for the same.

Be that as it may, from the snap shot of the message, which is filed at page 15, it appears that the aforesaid message is not the original message of the petitioner rather the same has been forwarded from someone else. Moreover, as stated in annexure-2, the petitioner has already apologized for the same to the informant.

Considering the aforesaid facts and circumstances of the case, let the petitioner in the event of surrender, named above, within six weeks from the date of receipt of this order, in connection with Kishanganj P.S. Case No. 528 of 2016 , shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Kishanganj, subject to the condition as laid down under Section 438 (2) Cr. P.C.

S.Ali/-

(Sanjay Priya, J)

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