

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.61169 of 2017

Arising Out of PS.Case No. -414 Year- 2017 Thana -GOGRI District- KHAGARIA

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Noor Alam S/o Md. Aslam, resident of village- Rampur, P.S.- Gogri,
District- Khagaria.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Viveka Nand Singh, Advocate

For the Opposite Party/s : Mr. Kumar Virendra Narayan, APP

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**CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR
SINGH**

ORAL ORDER

2 22-12-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks pre-arrest bail in connection with
Gogri P.S.Case No.414 of 2017 registered under Sections 153A,
295A, 298 and 406 of the Indian Penal Code and Section 67 of the
Information and Technology Act.

It is submitted by the learned counsel for the petitioner
that the FIR has been instituted on the basis of a complaint
completely based on vague and unfounded allegation. He
submitted that it is not disclosed as to what was objectionable in
the message posted by the co-accused Akshay Jaiswal in the FIR.
He contended that even otherwise for any message which was
circulated by Akshay Jaiswal, the petitioner cannot be held



responsible.

On the other hand, learned counsel for the State submitted that there is allegation against the petitioner and others that they excited communal tension by posting objectionable message.

Regard being had to the allegations made in the FIR and the submissions made above, in the event of arrest or surrender in the court below within six weeks from today, the petitioner is directed to 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, Khagaria in connection with Gogri P.S.Case No.414 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J)

Md.S./-

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