

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.61531 of 2017**

Arising Out of PS.Case No. -308 Year- 2017 Thana -BARAUNI District- BEGUSARAI

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1. Md. Mumtaz, son of Md. Mansoor Khan, resident of village- Deona,  
Ward No.-3, P.O.- Tiltrath, P.S.- Barauni (Refinery O.P.), District-  
Begusarai

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Sandip Kumar Gautam, Advocate

For the Opposite Party/s : Mr. Arun Kumar Singh -5, APP

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**CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA**  
**ORAL ORDER**

2/ 19-12-2017

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner apprehends his arrest in **Barauni P.S.**

**Case No.308 of 2017** instituted for the offence under Section(s)

153-A, 295-A Indian Penal Code and Section 66 of the IT Act.

It has been submitted that petitioner is not named in  
the First Information Report.

Prosecution case as per the statement of Officer-in-  
charge, Refinery OP is that on 20.08.2017 at 4.00 PM one Bires  
Kumar @ Bhulla and Bhpesh Kumar informed him that some  
fanatic video has become viral. The video clip was transmitted to  
the informant by one Dharambir Kumar, and on query being  
made from the local Choukidar, Md. Raju Khan and Md.  
Saddam, were identified as the creator of such video, which had



become viral.

Counsel for the petitioner has submitted that name of this petitioner has come on the basis of the statement of Chaukidar.

It has been submitted that one of the co-accused has been granted anticipatory bail by a co-ordinate Bench of this Court by order dated 13.12.2017 passed in Cr. Misc. No.60348 of 2017.

In the facts and circumstances of the case, prayer of the petitioner for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today in connection with **Barauni P.S. Case No.308 of 2017**, he shall be released on anticipatory bail on furnishing bail bond of `10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the **Chief Judicial Magistrate, Begusarai**, subject to the conditions as laid down under Section 438(2) Cr. P. C. with further conditions: (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper



and reasonable reason will automatically cancel bail bond of the petitioner and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

**(Sanjay Priya, J)**

**JA/-**

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