

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47581 of 2017

Arising Out of PS. Case No.-381 Year-2017 Thana- SITAMARHI District- Sitamarhi

Taj Mohammad @ Pappu Khan, son of Md. Mustaque Khan, resident of village Bedaul Got, P.S.- Pupri, District- Sitamarhi.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pawan Kumar Singh
For the Opposite Party/s : Mr. SRI SAKIR AHMAD

**CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL**

ORAL ORDER

2 16-10-2017 Heard both sides.

On being accused of having committed offence under Section 295A, 298/34 of IPC and Section 66A(a)(b) of I.T. Act, the petitioner is lodged in custody since 4.6.2017 and has prayed for bail.

It is submitted that one Ali Siddiqui was found to have sent video messages disseminating hatred against a particular community. The petitioner was later apprehended and stated to have confessed his guilt. Learned counsel submits that except the aforesaid, there is nothing against the petitioner. The charge-sheet has already been submitted in the case. There is no chance of tampering with the evidence. The other articles possessed by the petitioner cannot be said to be incriminating articles.



Mr. Dayal, APP, on the other hand, submits that although the maximum punishment under Section 295A is three years but it is a crime against the society.

Considering the facts and circumstances of the case, let the petitioner abovenamed be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sitamarhi in Sitamarhi P.S. Case No. 381 of 2017 subject to the condition that one of the bailers shall be the own/close family members of the petitioner.

(Kishore Kumar Mandal, J)

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