

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2933 of 2019

Arising Out of PS. Case No.-432 Year-2018 Thana- BIKRAMGANJ District- Rohtas

Uday Bhan Singh Son of Jay Kishan , resident of village- Balu Ganj, Police
Station- Bharthana, District- Etawah (Uttar Pradesh)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajani Kant Singh, Advocate
For the Opposite Party/s : Dr. Ajeet Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 23-01-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner apprehends his arrest in connection
with Bikramganj P.S. Case No. 432 of 2018 registered under
Sections 429, 153A and 295A read with 34 of the Indian Penal
Code and Section 11 of the Prevention of Cruelty to Animals
Act, 1960 and Section 79 of the Bihar Police Act, 2007.

It is submitted by the learned counsel for the
petitioner that save and except Sections 295A and 153A of the
Indian Penal Code all other offences alleged against the
petitioner are bailable in nature.

As far as Section 153A of the Indian Penal Code is
concerned, it is submitted by the learned counsel for the
petitioner that there is no averment in the FIR that the petitioner
had incited people to violence on the ground of religion, race,



place of birth, language, residence, caste or community etc. As far as 295A of the Indian Penal Code is concerned, it is submitted that there is nothing in the FIR to suggest that the petitioner deliberately and maliciously acted to outrage the religious feelings of any class by insulting its religion or religious belief.

Learned counsel for the State opposed the application for grant of pre-arrest bail to the petitioner.

Considering the submissions made above as also the statement made in Para- 3 of the application that the petitioner has got no criminal antecedent, in the event of arrest or surrender before the court below, he 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 A.C.J.M-1, Bikramganj, Rohtas in connection with Bikramganj P.S. Case No. 432 of 2018 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J)

Md. S/SKSuman.

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