

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9095 of 2019

Arising Out of P.S. Case No.-373 Year-2018 Thana- PAROO District- Muzaffarpur

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1. MD. ARMAN Son of Md. Azimul, aged about 21 years (Male) Resident of Village - Mathiya, P.S. - Paroo, District - Muzaffarpur
 2. Md. Murshid, aged about 22 years (Male), Son of Md. Mazum @ Shekh Majju Resident of Village - Mathiya, P.S. - Paroo, District - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jyotsna Rani Mishra, Advocate
For the Opposite Party/s : Mr.Bal Mukund Prasad Sinha, APP

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 15-02-2019 Heard the learned counsel for the petitioners and
learned counsel appearing on behalf of the State.

Petitioners are languishing in judicial custody since 06.10.2018 in connection with Paroo P.S.Case No.373 of 2018 for the offence alleged under Sections 295(A) and 153(A)/34 of the Indian Penal Code and Section 66(A) of the I.T.Act.

The prosecution case as lodged by the police personnel is that on secret information that there is some dispute between Hindu and Muslim community in Kamalpura village, the police reached there and was informed by the people that a newly made Durga idol has been tampered by the petitioners and one other co-accused Md. Aashif had taken a mobile clip and made it viral in order to hurt religious sentiments. The mobile chip memory card was seized and accordingly seizure list was prepared. On raid co-accused Md. Aashif was



apprehended.

It has been submitted by the learned counsel for the petitioners that they are innocent, bear no criminal antecedent and have been falsely implicated in the aforesaid case. He further submits that no such overt-act has been committed by the petitioners and they are languishing in judicial custody since more than four months, chargesheet having been submitted.

However, learned APP for the State opposes the prayer for bail.

Considering the nature of allegations and the materials on record, let the petitioners, above named be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) each with two sureties of the like amount each in connection with Paroo P.S.Case No.373 of 2018 to the satisfaction of learned Additional Chief Judicial Magistrate-III (West), Muzaffarpur, subject condition that one of the bailors for each of the petitioner would be a close relative having sufficient immovable property, who will file an affidavit stating his/their relationship with the petitioners.

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(Nilu Agrawal, J)

