

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24238 of 2019

Arising Out of PS. Case No.-182 Year-2018 Thana- DAGARUA District- Purnia

Md. Hussain @ Hussain, S/O Kasim, R/o village- Singhia, Thathol, P.S.-
Dagarua, District- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Helal Ahmad
For the Opposite Party/s : Mr.Sanjay Kumar

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

3 11-07-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Dagarua P.S. Case No. 182 of 2018, registered under
Sections 153A(i) and 295A of the Indian Penal Code.

The accusation is that on 05.09.2018, one Bablu Rai
came to the Police Station and informed that he is connected
with NBPDCS WhatsApp group and Admin of this group is Md.
Hasnat. He further disclosed that petitioner being the member of
aforesaid NBPDCS WhatsApp group sent the dirty picture of
goddess to mobile no. 8929921121 of Md. Hasnat and Bablu
Rai handed over the independent picture of Goddess duly
certified by him, which has been obtained from his mobile.



After receiving the aforesaid information, informant along with other police personnel reached at Karare Bzar then on seeing the police party, two persons started to flee away but on chased, they were arrested, who disclosed their names as Md. Hasnat and Alamgir. Thereafter, on checking the mobile of Alamgir, it was detected that dirty picture was sent from his mobile but the same was deleted.

Learned counsel for the petitioner submits that while it has come in the beginning of First Information Report that petitioner being the member of NBPDCS WhatsApp group sent the picture to several members but on checking the mobile of Md. Hasnat, who was apprehended along with Alamgir, it was detected that the said picture was sent by Alamgir through his mobile. Further submission is that petitioner has no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Purnea, in connection with Dagarua P.S. Case No.



182 of 2018, subject to the condition as laid down under Section
438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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