

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35400 of 2019

Arising Out of PS. Case No.-36 Year-2019 Thana- BAIKUNTHPUR District- Gopalganj

AFRAJ Son of Late Akhtar Mian Resident of Village - Kritpura, P.S.-
Baikunthpur, Distt - Gopalganj.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shyama Kant Singh

For the Opposite Party/s : Mr. Anuj Kumar Shrivastava

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 30-05-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 293(A), 153(A) and 153(B)/34 of the Indian Penal Code.

Allegation against this petitioner is of showing pleasure on the indecent viral video on the recent martyrdom of Indian Military, leading to communal riot in the area.

The contention of the petitioner is that the petitioner has falsely been implicated in this case. In fact, co-accused Ranjeet Kumar is responsible for sending such message and petitioner has made no such comment rather some one might have used his mobile and posted the comment without his consent. Petitioner has got no criminal antecedent.



Considering the facts aforesaid, let the petitioner above named, in the event of his arrest or surrender before the Court below within a period of six weeks from the date of receipt of the order, 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 1st Class, Sri Niraj Kumar Pandey, Gopalganj/successor Court in connection with Baikunthpur P.S.Case No.36 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the petitioner shall fully cooperate with the investigation and trial of the case, failing which the court below shall be at liberty to cancel the bail bonds of the petitioner.

(Prabhat Kumar Singh, J)

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