

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.75165 of 2018

Arising Out of PS. Case No.-77 Year-2018 Thana- VALMIKINAGAR District- West
Champaran

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Sarfaraz Ansari, Son of Razak Ansari, Resident of Village- 3 RD Chowk
Valmikinagar, P.S.- Valmikinagar, District- West Champaran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kr Singh No. 1

For the Opposite Party/s : Mr. Chandrasen Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 11-01-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending arrest in a case registered
for the offences punishable under Section 295(A) of the Indian
Penal Code and Sections 66 and 67 of the Information
Technology Act.

The prosecution case as per the self statement of Police
Inspector-cum-SHO, Jai Prakash Singh, Valmikinagar Police
Station, recorded on 29.09.2018 at 10.00 A.M., is to the effect
that on 22.09.2018, one Sarfaraj Ansari uploaded some enraged



comments on the social media relating to the Saffron colour and the same was used as analogy as the same is being used by him and others in Tobacco and Biryani.

It is submitted by learned counsel for the petitioner that even assuming the accusation to be true, no offence under Section 295(A) is made out against the petitioner. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

It is submitted by learned APP for the State that accusation is specific against the petitioner and such posting of contents on the social media was with intention to create social and religious dis-harmony.

Considering the nature of accusation, coupled with the statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 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 **J. M.-1st Class, Bagaha, West Champaran** in connection with **Valmikinagar P. S. Case No. 77 of 2018**, subject to the conditions as laid down under



Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

Deepak/Rahul/-

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