

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61205 of 2019

Arising Out of PS. Case No.-417 Year-2018 Thana- BAGHA District- West Champaran

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ARUN KUMAR PATHAK Son of Bhuneshwar Pathak Resident of village -
Nadda, Ward No. 9, P.S.- Bharganj, Distt - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Baxi S.R.P.Sinha, Sr.Adv

Mr.Vijay Kr Singh No. 1

For the Opposite Party/s : Mr.Satyendra Narayan Singh

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 14-10-2019 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Section 295(A) of the Indian Penal Code and Sections 66 & 67 of the Information & Technology Act registered in connection with Bagaha (Pathkhauli) P.S. Case No. 417/2018.

3. It is submitted that the petitioner has been falsely implicated. In any event from a perusal of the FIR no offence as alleged is made out against the petitioner as nothing insulting to any religion has been said in the petitioner's Facebook post to attract the provisions of Section 295(A) of the Indian Penal Code. Similar situated co-accused Vikash Singh has been granted anticipatory bail by this Court in Cr. Misc. No. 42244 of 2019. The petitioner claims clean antecedents.

4. Be that as it may, in the event of the petitioner's arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned ACJM Ist, Bagaha, District West Champaran, in connection with Bagaha



(Pathkhauli) P.S. Case No. 417/2018, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and also subject to the following further conditions:

- i. That one of the bailors shall be a close relative of the petitioner.
- ii. That the petitioner shall not indulge in any similar offence till conclusion of the trial.
- iii. That the petitioner shall co-operate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.
- iv. The petitioner shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

Chandran/-

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