

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4836 of 2020

Arising Out of PS. Case No.-603 Year-2019 Thana- BHABHUA District- Kaimur (Bhabua)

Babu Khan, Son of Mukhtar Khan Resident of Village- Bhabua, Ward No.23,
P.S.- Bhabua, Distt- Kaimur at Bhabua.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajani Kant Pandey

For the Opposite Party/s : Mr. Abhay Kumar

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 02-03-2020 Heard learned counsels for the petitioner and the

State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 153A, 153 and 295A of the IPC and Section 66(F) of the I.T. Act.

The prosecution case, as per the FIR is to the effect that the petitioner spread a video of communal hate speech on social media (Whatsapp), as a result, the peace between two communities got disturbed.

It is submitted by learned counsel for the petitioner that only on the basis of the suspicion, the petitioner has falsely been roped in the present case. A statement has been made in paragraph-3 that the petitioner is also made accused in three other cases also in which he is on bail.



Learned APP submits that the petitioner named in the FIR with a specific accusation.

Considering the nature of accusation and fact that a specific date of uploading and making the video viral on social media has not been mentioned in the FIR, let the above named petitioner be released on provisional anticipatory bail for 6 months in the event of arrest/surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Kaimur at Bhabua in connection with Bhabua P.S. Case No. 603 of 2019 subject to the condition as laid down under Section 438(2) of the Cr. P.C.

Learned court below will call for a report from the local Police Station with regard to the conduct of the petitioner and after being satisfied with the same the learned court below will confirm the provisional bail of the petitioner.

(Dinesh Kumar Singh, J.)

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