

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21784 of 2020

Arising Out of PS. Case No.-7 Year-2020 Thana- KEWATI District- Darbhanga

MD. IRFAN Son of Anjum @ Anjum Zeb @ Md. Anjum Zeb Resident of
Village - Naka No.5, Killaghat, Milan Chowk, Ward No.24, Darbhanga, P.S.-
Keoti, Distt.- Darbhanga.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Bijay Bhushan Prasad

For the Opposite Party/s : Mr. Binod Kumar No. 3, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 04-09-2020 Due to COVID-19 Pandemic, the matter is being taken up
by way of Virtual Court proceeding.

The matter has been listed under the heading 'For Orders'
under the orders of Hon'ble the Chief Justice.

Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner seeks bail in Keoti (Darbhanga) P.S. Case
No. 7 of 2020 instituted for the offences under Sections 449, 461 of
the Indian Penal Code and 03 and 07 of Indian Official Secrets Act,
1923.

The prosecution case in short is that the accused person
took the video of the prohibited area and sent the same to abroad.

It has been submitted on behalf of the petitioner that the
petitioner is in custody since 21.01.2020 and has got no criminal



antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. Charge-sheet has been submitted in the present case. The petitioner is named in the F.I.R. The allegation is that he had taken the photograph of the prohibited area of Indian Air Force Base and transmitted the same through Whatsapp to his brother at Dubai. The petitioner had no knowledge that the area-in-question came under prohibited zone. He had no such intention to commit such offence.

On behalf of the State, it is submitted that the petitioner has committed a serious offence. He took the photographs and videos of the prohibited area of the Indian Air Air Force Base and transmitted the same to Dubai. Such act, on the part of the petitioner is a threat to the National Security.

Considering the nature of allegation, I am not inclined to grant bail to the petitioner. The same is rejected. The Trial Court is directed to take necessary steps to conclude the trial at the earliest preferably within nine months from the date of receipt/production of a copy of this order.

(Sudhir Singh, J)

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