

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32348 of 2020

Arising Out of PS. Case No.-489 Year-2020 Thana- SASARAM NAGAR District- Rohtas

KAUSAR ALI NIYAJE @ KAUSAR ALI @ KAUSAR ALI NEYAZI S/o
Late Md. Rafik Ali @ Late Md. Rafique @ Md. Rafique Khan R/o village-
Akbarpur, P.S. and District- Rohtas, Present Address- Mohalla- Chowkhandi,
Ward No. 30, P.S.- Sasaram Town, District- Rohtas

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Yogesh Chandra Verma, Sr. Advocate Md. Ataul Haque, Advocate
For the Opposite Party/s	:	Mr.Damodar Prasad Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 07-12-2020 Heard both sides through Video Conferencing.

The petitioner seeks bail in Sasaram Town P.S. Case No.489 of 2020 registered under Sections 153(a),(b), 188, 269, 270, 271, 290, 295(A) of the Indian Penal Code, Section 3 of Epidemic Act 1897, Section 51(B) of Disaster Management Act, 2005 and Section 67(A) of I.T. Act.

The gist of the allegation is that petitioner loaded obscene picture of Goddess Savitri and Goddess Saraswati and alleged that God Brahma committed rape with his own daughters and tried to establish sexual relation with Gayatri with chanting a mantra which is later on called as Gayatri Mantra.

The learned counsel for the petitioner submits that



petitioner is an old man aged about 67 years. The mobiles of the petitioner were of course seized but petitioner did not load any vulgar picture with abusive language. It is further submitted that petitioner has got no criminal antecedent and the petitioner has got no record of enticing any religious sentiment or provoking for writing. Petitioner is in jail since 08.08.2020.

Learned A.P.P. vehemently opposed the prayer for bail.

Taking into consideration the facts aforesaid and nature of allegation made against the petitioner and the fact that the petitioner has already remained in jail for about four months, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Rohtas at Sasaram in connection with Sasaram Town P.S. Case No.489 of 2020.

(Prabhat Kumar Jha, J)

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