

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85898 of 2019

Arising Out of PS. Case No.-207 Year-2019 Thana- SIDHWALIYA District- Gopalganj

Khurshid Alam @ Arsad Jawed Son of Md. Hashim @ Hasim Miya, Resident
of Village - Jalalpur, P.S.- Shinghwaliya, Distt - Gopalganj.

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Sudama Kumar, Advocate

For the Opposite Party/s : Mr.Anand Kishore Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 18-01-2020 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Petitioner in the present case is seeking regular bail in connection with Shingwaliya P.S. Case No. 207 of 2019 registered for the offences punishable under Sections 294, 295, 295(A), 503, 504, 469 of the Indian Penal Code and Section 77(A) of the IT Act.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. It is further submitted that the petitioner has not committed any offence and the petitioner was a member of a Whatsapp group but the Administrator of the said group is one Arshad Alam and vulgar message was created by someone else and said Arshad Alam has been granted regular bail by a learned Co-



ordinate Bench of this Court in Cr. Misc. No. 82525 of 2019. The petitioner is in custody since 08.11.2019 having no criminal antecedent.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case and the submission of learned counsel for the petitioner that though the petitioner is a member of a Whatsapp group but the Administrator of the said group is one Arshad Alam and vulgar message was created by someone else and said Arshad Alam has been granted regular bail by a learned Co-ordinate Bench of this Court in Cr. Misc. No. 82525 of 2019 and further submission that the petitioner has no criminal antecedent and in future the petitioner would not join such groups in which the member may be found involved in commission of the present kind of offence, let the petitioner above named be released on bail in connection with Singhwaliya P.S. Case No. 207 of 2019 on furnishing of bail bond of Rs. 15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. XVI, Gopalganj, subject to the condition as laid down under Section 437 (3) Cr.P.C. as under :

(a) that such person shall attend in accordance with



the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

(Rajeev Ranjan Prasad, J)

arvind/ved

U		T	
---	--	---	--

