

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 1838 of 2019

- Mohd. Rijvan Mansuri S/o Shri Peer Gulam Mansuri Aged About 25 Years R/o Ward No. 9, Manendragarh, District Koriya, Chhattisgarh.

---- Applicant

Versus

- The State Of Chhattisgarh Through Police Station Manendragarh, District Koriya, Chhattisgarh.

---- Respondent

MCRCA No. 1933 of 2019

- Raees Ahmad S/o Shri Mohd. Quyum Aged About 26 Years R/o Ward No. 6, Thana and Tahsil Manendragarh, District Koriya, Chhattisgarh.

---- Applicant

Versus

- The State Of Chhattisgarh Through Police Station Manendragarh, District Koriya, Chhattisgarh.

---- Respondent

MCRCA No. 1940 of 2019

- Raju Aais @ Mohd. Riyazuddin S/o Shri Abdul Jabbar, Aged About 30 Years By Caste Musalman, R/o Ward No. 6, Moharpara, Thana And Tahsil Manendragarh District Koriya, Chhattisgarh.

---- Applicant

Versus

- The State Of Chhattisgarh Through Police Station Manendragarh, District Koriya Chhattisgarh.

---- Respondent

MCRCA No. 1989 of 2019

- Mohd. Arif Eraki S/o Shri Abdul Quyum Aged About 20 Years By Caste Musalman, R/o Ward No. 18, Thana And Tahsil Manendragarh, District Koriya Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station Manendragarh, District Koriya Chhattisgarh.

---- Respondent

For Applicants : Shri Parag Kotecha, Advocate.
For Respondent/State : Shri Shubham Verma, P.L.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

06/02/2020

Heard.

1. As all the above cases arise out of same crime number, therefore, they are being decided by this common order.
2. The applicants have preferred this first bail application filed under Section 438 of Cr.P.C. for apprehending arrest in connection with Crime No. 312/2019 registered at Police Station Manendragarh, District Koriya, (C.G.) for offence punishable under Sections 153-A, 295-A of Indian Penal Code and Section 66 of Information Technology (Amendment) Act, 2008.
3. Allegations against the present applicants is that they all have made objectionable comment on a post in Facebook. As per the prosecution case, applicant Md. Arif Eraki (MCRCA No. 1989/2019) is the one who, after the murder of one Kamlesh Tiwari, one of the leaders of Hindu Community, made an objectionable post in the Facebook thereafter, other applicants circulated the same on social media and made vulgar comments on that, due to which the religious sentiments of the Hindu Community was hurt and due to that differences were

made between Hindu and Muslim Community. On the basis of the above, offence has been registered against all the present applicants.

4. Learned Counsel appearing for the applicants submits that the applicants are innocent and have been falsely implicated in the present case. He further submits that all the offences are triable by J.M.F.C. and also, the complainants have settled the matter with the applicants. It is further submitted that Complainants do not want to proceed further in the said matter. Looking to the above, it is prayed that applicants may be released on anticipatory bail.
5. Learned Counsel appearing for the State opposes the bail application.
6. I have heard learned Counsel appearing for the parties and perused the material available with due care.
7. Taking into consideration the submissions put-forth on behalf of the parties, considering the facts and circumstances of the case, and after going through the comments made by the applicants on the said post, I am not inclined to extend the benefit of anticipatory bail to the present applicants.
8. Accordingly, anticipatory bail applications are rejected.

Sd/-
(Arvind Singh Chandel)
Judge