

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13151 of 2021

Arising Out of PS. Case No.-183 Year-2020 Thana- SAMASTIPUR District- Samastipur

Syed Afif Alam @ Afif Alam Son of Md. Umar Alam Resident of Village -
Mohiuddinnagar Rajwa, P.S.- Bangra, District - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoranjan Kumar, Adv.

For the Opposite Party/s : Mr. Raj Ballabh Singh, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 20-07-2021 In view of sudden resurgence of COVID-19 infection

there is limited functioning of the High Court and therefore the

matter has been listed for consideration through virtual mode.

Heard learned counsel for the petitioner and the

learned APP for the State.

This Court would expect that the petitioner's Counsel

would honour his undertaking in the instant proceedings

regarding supply of requisite court fee etc. within two weeks

from the date he is called upon to do so by the office.

Petitioner seeks bail in Samastipur Town (Nagar) P.S.

Case No.183 of 2020 registered under Section 341, 323, 500,

353, 504 IPC, under Section 67 I.T Act and Section 2

Prevention of Insult National Honour Act, 1971.

A objectionable post has allegedly been made by the



petitioner on his facebook. The police have gone to arrest him and he has resisted the arrest as per allegations made in the FIR.

Learned counsel for the petitioner submits that the petitioner has no criminal antecedent. He is not aware of the post having been made from his facebook I.D. As soon as he came to learn about the same it was deleted by him. He has become victim of the circumstances and he is in custody since 18.09.2020. He undertakes to participate in the trial on a day-to-day basis.

Learned APP has opposed the prayer for bail.

Considering the rival submissions as also the facts and circumstances of the case, prayer for bail of the petitioner is allowed. Let the petitioner above named be released on bail on furnishing bail bonds of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Samastipur in Samastipur Town (Nagar) P.S. Case No.183 of 2020, subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the



address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

Prakash Narayan /-

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