

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39366 of 2020

Arising Out of PS. Case No.-88 Year-2020 Thana- CHAUSA District- Madhepura

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Sajad Raji Alias Md Sajjad Alam Son Of Md Siraj Alias Md Siraj Alam
Resident Of Village - Kalasan, Kunjar Toli, Panchayat Rasalpur Dhuriya, P.S.
- Chousa, District - Madhepura

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amarendra Narayan

For the Opposite Party/s : Mr. A.G

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 04-01-2022 Heard learned counsel for the petitioner and

learned APP for the State.

Learned counsel for the petitioner is expected

to honour his undertaking given in the instant case for

depositing the requisite court fee and to remove the

defects as pointed out by the office when called upon to

do so by the office.

The petitioner is apprehending his arrest in a

case registered for the offences punishable under

Sections 292, 499, 153(A), 505 of the Indian Penal

Code and Section 66(E) of the I.T. Act.



The prosecution case as per F.I.R is that the petitioner through his face book ID bearing his mobile No. 8921288950 has posted obscene pictures of Hon'ble Prime Minister of India and a lady Hon'ble Member of Parliament, Government of India and this act of the petitioner appears to defame the Hon'ble Prime Minister of India and the lady Hon'ble Member of Parliament, Government of India.

It is submitted by learned counsel for the petitioner that petitioner has falsely been implicated in this case. The petitioner is illiterate and is not in a position to write his name in English. It is further submitted that no person making such attempt to bring objectionable photographs will publicize his name. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

Considering the fact that there is specific allegation against this petitioner of posting obscene photographs of Hon'ble Prime Minister and a lady



Hon'ble Member of Parliament through his face-book I.D and which fact has been supported by the witnesses in the case diary, this Court is not inclined to grant anticipatory bail to the petitioner. The prayer for anticipatory bail of the petitioner is rejected.

However, learned Court below may consider the regular bail of the petitioner without being prejudiced by the order of this Court, if the petitioner surrenders within a period of four weeks from today and pray for regular bail.

With the aforesaid observation/direction, the petition stands disposed off.

(Sunil Kumar Panwar, J)

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