

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56317 of 2022

Arising Out of PS. Case No.-217 Year-2022 Thana- CHAND District- Kaimur (Bhabua)

Md. Rehan Khan @ Rehan Khan Son Of Dilshad Khan R/O Village- Pateri,
P.S.- Chand, P.O.- Jamalpur, Distt.- Kaimur At Bhabhua

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vikram Deo Singh, Advocate
For the Opposite Party/s : Mrs.Sharda Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 16-12-2022 Heard Vikram Deo Singh, learned counsel for the

petitioner and learned APP for the State in Virtual Court

Proceeding.

Let the defect(s), if any, as pointed out by the
office, be removed within four weeks.

The case is registered under sections 295(A)/504
of the Indian Penal Code and Section 66(C) of I.T. Act, in
connection with Chand P.S. Case No. 217 of 2022.

As per the prosecution story, the informant has
alleged that he received a whats-app message allegedly posted
by this petitioner making objectionable comment against a
particular religion and accordingly, it hurt the religious
sentiment of the said community forcing them to take
appropriate steps and accordingly, the FIR was lodged.



Learned counsel for the petitioner submits that on Whatsapp message people do keep posting their views some of which are unwanted and in bad taste and this petitioner being young boy of 22 years failed to recognize that it can hurt the religious sentiments of the other community.

Learned counsel for the petitioner further submits that for the said misadventure, he has already suffered by being in custody since the date of lodging of the FIR i.e. 26.7.2022 and further submits that he shall remain agile in future and in any case not going to repeat the alleged act. The last submission is that under no stretch of imagination, his intention was to hurt the feelings of anyone much less the community.

Learned APP opposes the prayer submitting that these days it has become trend to post objectionable comments.

Taking into account the said assurances made on behalf of the petitioner by his learned counsel as also the charge-sheet stands submitted and he is in custody since 26.7.2022, this Court is inclined to grant him the privilege of bail cautioning himself away from posting any such objectionable comment on any social site failing which the concerned court shall take steps for cancellation of his bail bond.



Let the petitioner be released on bail on furnishing bail bond of Rs. 25,000/- (Twenty five thousand) with two sureties of like amount each to the satisfaction of learned A.C.J.M.-IVth, Kaimur at Bhabhua, in connection with Chand P.S. Case No. 217 of 2022 subject to the following conditions:

(i) both the bailors should be the family members of the petitioner who shall provide official documents to show their bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.



With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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