

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49672 of 2023

Arising Out of PS. Case No.-90 Year-2022 Thana- AURANGABAD TOWN District-
Aurangabad

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Gourav Rana @ Gaurav Kumar, Son of Ajay Singh, Resident of village - Goh,
P.S. Goh, District- Aurangabad

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Mukul Kumari, Advocate

For the Opposite Party/s : Mr. Surendra Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 11-08-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Aurangabad Town P.S. Case No. 90 of 2022 registered for the offence punishable under Sections 153 (A), 295(A), 298, 504, 506 of the Indian Penal Code and Section 67 of the Information Technology (I.T.) Act, 2000.

3. Informant alleged that FIR named accused persons including the petitioner who is member of Karni Sena, insulted the religious beliefs of Yadav Samaj by using derogatory remarks against them.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this



case. He submits that there is case and counter case between the parties. He submits that there is no allegation of publishing or transmitting of obscene material in electronics media, therefore, Section 67 of the IT Act is not applicable against the petitioner. He submits that prior to lodging of present case, the present petitioner side has also lodged a case against the informant side vide Town P.S. Case No. 88 of 2022. He further submits that petitioner has no criminal antecedent as stated in para-3 of this application. It is further submitted that similarly situated co-accused Niranjana Kumar @ Niranjana Vidyarthi has been granted bail by a Co-ordinate Bench of this Court vide order dated 06.09.2022 passed in Criminal Miscellaneous Case No. 27948 of 2022.

5. Learned A.P.P. opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of his arrest or surrender before the Court below within six weeks from today, the above named petitioner be released on bail upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Aurangabad in connection



with Aurangabad Town P.S. Case No. 90 of 2022 subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

saaurabhkr/-

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