

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68779 of 2023

Arising Out of PS. Case No.-39 Year-2020 Thana- MAJHAULIA District- West Champaran

SANDEEP GIRI @ SANDEEP KUMAR GIRI Son of Naginagiri, R/o
Mahodipur, P.S. - Majhauriya, Dist. - West Champaran. Petitioner/s
Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Adv.
For the Opposite Party/s : Mr. Zainul Abedin, APP

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 02-11-2023 Heard the learned counsel for the petitioner as well as
the learned Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in connection with
Majhauriya P.S. Case No. 39 of 2020, registered for offence
punishable under sections 153A, 504 and 505(1)(B)(C)(Z) of the
Indian Penal Code.

3. As per FIR, the petitioner posted a message on his
Facebook Account containing the message as mentioned in the
FIR precisely putting a circumstance that if a lady marries with
several persons frequently then how could the parentage of the
child born from that lady be decided and how he would show the
Adhar-card to prove his/her citizenship. Further allegation has
been made that the said message has been posted by the
petitioner's Facebook account, which is an objectionable and
provocative.



4. The learned counsel for the petitioner though has denied such type of message transmitted from his so called face-book I.D., but in the alternative, he has submitted that even if it is presumed to be true that the said message was posted from his face-book I.D., it was not with an intention to create disharmony between two communities. He has submitted further that the petitioner is a responsible person working as Commando amnesty. He has, at all, no criminal antecedents.

5. On the other hand, the learned APP has opposed the prayer for bail and submitted that such kind of post is nothing but an intention to create disharmony between two communities.

6. Considering the above-mentioned facts and circumstances, especially the clean antecedent of the petitioner, let him, in the event of his arrest or surrender, within four weeks from today, be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bettiah, West Champaran in connection with Majhauriya P.S. Case No. 39 of 2020, subject to condition as laid down under section 438(2) Cr. P.C.

(Nawneet Kumar Pandey, J)

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