

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.68620 of 2022

Arising Out of PS. Case No.-518 Year-2020 Thana- HILSA District- Nalanda

Prabhat Mathur @ Prabhat Kumar @ Prabhat Kumar Mathur S/O Prahlad
Prasad R/O Arya Samaj Road, Hilsa, P.S- Hilsa, District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pratik Mishra

For the Opposite Party/s : Mr.Shailendra Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 04-05-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 295, 295(A), 153(A) of the Indian Penal Code and Section 66, 67 of the Information Technology Act.

As per FIR, an objectionable post was made from the account of the Facebook of Prabhat Kumar Mathur (petitioner) with intention to disturb the harmony.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He submits that the present FIR is a politically motivated case as the petitioner takes part in political discourses of one of the renowned political parties, however, the entire details are not being divulged in the present petition for obvious reasons. He submits that the petitioner has not made any such alleged post on Facebook or elsewhere. He submits that the present FIR has



been lodged after 13 days delay on 23.10.2020 for the alleged post. He submits that earlier also a politically motivated FIR was lodged against the petitioner being Hilsa P.S. Case No. 567 of 2016 for the alleged offence under Sections 147, 153A, 295B, 353 of the IPC and Section 9 of Bihar Loudspeaker Act which was also lodged due to political reasons in which he is on bail. He further submits that petitioner has one criminal antecedent as stated in para-3 of this application.

Learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances of the case, let the above named petitioner in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Hilsa P.S. Case No. 518 of 2020, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

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(Anjani Kumar Sharan, J)

