

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15 of 2023**

Arising Out of PS. Case No.-238 Year-2018 Thana- KHAGARIA District- Khagaria

Sai Shankar, Son of Late Ashok Mandal, Resident of- Janta More Mohanpur,
P.S.- Jamalpur, District- Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Jha, Advocate

For the Opposite Party/s : Mr. Dinesh Singh, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 08-05-2023 Heard learned counsels for the petitioner and the

State.

Petitioner apprehends arrest in a case registered for
the offences punishable under Section 500 of the Indian Penal
Code and Section 66(F)/67 of the Information Technology Act.

Petitioner is alleged to have posted a photo on
Facebook wherein Hon'ble President of India, Hon'ble Chief
Justice of India, Hon'ble Prime Minister of India, National
President of B.J.P. and Co-ordinator of RSS have been shown in
objectionable condition with Goddess of Law with a view to
defame them.

Learned counsel appearing for the petitioner submits
that for the same offence, Jamalpur P. S. Case No. 117 of 2018
under Sections 124(A)/153/469/505 of the Indian Penal Code



and Section 67 of the Information Technology Act was lodged and as such, present case amounts to double jeopardy. He further submits that in that case, petitioner has already been granted bail. He next submits that petitioner was never indulged in the alleged act nor has any connectivity in this case. He never uploaded any objectionable post on his Facebook account.

Considering the aforesaid facts and circumstances of the case, let the above named petitioner in the event of his arrest/surrender before the court below within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Judicial Magistrate, 1st Class, Khagaria in connection with Kahgaria P. S. Case No. 238 of 2018 (GR Case No. 1029/2018), subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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