

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64582 of 2023

Arising Out of PS. Case No.-230 Year-2023 Thana- KARAHGAR District- Rohtas

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HABIB RAIN S/O TAJUDIN RAIN @ TAJUDIN RESIDENT OF
VILLAGE- KARGAHAR, P.S- KARGAHAR, DISTRICT- ROHTAS.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ashutosh Tripathy

For the Opposite Party/s : Mr.Yogendra Kumar

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 25-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in a case registered for the offence punishable under Sections 295(A), 153(A), 505(2) of the Indian Penal Code and Section 66 of the I.T. Act.

3. As per allegation in the FIR, the petitioner has uploaded message in very objectionable and filthy language through his Instagram account on social media against the God and Godess of another religion by which religious feelings of whole society is hurt.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has been falsely implicated in this



case due to ulterior motive. It is further submitted in para 7 of the petition that petitioner has not uploaded such type of message on his instagram account but some enemy of petitioner hake his account and uploaded such type of message only to harass and defame him. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent. Petitioner is languishing in judicial custody since 21.06.2023.

5. The application for bail is opposed by learned APP for the State and submitted that petitioner has posted a message against the God and Godess of another religion through his Instragram ID by using very objectionable and filthy language.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail **after framing of charge**. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Rohtas at Sasaram in connection with Kargahar P.S. Case No.230 of 2023 on following conditions:-

(i) The petitioner shall co-operate in the trial and shall be present on each and every fixed date and on his



absence on two consecutive dates without sufficient reasons,
his bail bond shall be cancelled by the Court below.

(ii) In case, the petitioner repeats offence of similar
nature after enlargement on bail, his bail-bond will be cancelled
by the Court below.

(Sunil Kumar Panwar, J)

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