

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2776 of 2024

Arising Out of PS. Case No.-230 Year-2023 Thana- SINDHIYA District- Samastipur

MAYANK SINGH @ RAJA SINGH S/O- MANOJ SINGH R/O- VILLAGE-
LAGMA, P.S.- SINGHIYA, P.O- LAGMA, DIST.- SAMASTIPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR, PATNA

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prabhojot Singh

For the Opposite Party/s : Mr. Suman Kumari Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 20-03-2024 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 295(A), 298 and 509 of the Indian Penal Code, Sections 23(4) of the POCSO Act read with Section 66 D of the IT Act.

3. Learned counsel for the petitioner submits that the petitioner is a Journalist and runs news channel in the name of *Rosera Junction*. It is next submitted that no doubt the petitioner has antecedent of five cases, but then all the cases which have been instituted, have been instituted for the reason that petitioner has shown some news on his channel which offended the informant of the aforesaid cases. It is next submitted that in the present case the informant alleges that the victim aged about



15 years who was residing in Gujarat had solemnized her marriage with one boy of another community and as such was brought from Gujarat to Samastipur, thereafter, it is alleged that a video went viral on the Facebook with respect to the occurrence which was uploaded by the name of *Rosera Junction*. It is further alleged that uploading such posts on social media might have created communal disturbances. The learned counsel submits that petitioner being a Journalist gathers news and this was one of the news which he got from his sources and accordingly uploaded on his news channel. It is further submitted that it is not the case of the prosecution that the petitioner uploaded any news which was frivolous in nature, rather the occurrence had taken place as such the truth was shown. It is further submitted that though in the FIR it is alleged that the news might have created communal disturbances but then no such disturbance was created. It is further submitted that in the nature of allegation, Section 23(4) of the POCSO Act shall not be applicable against the petitioner.

4. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

5. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the



event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Singhiya P.S. Case No. 230 of 2023 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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