

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69052 of 2025

Arising Out of PS. Case No.-187 Year-2025 Thana- SOHSARAI District- Nalanda

Shamim Akhtar Son of Mr. Wasiuddin @ Wasim Uddin Ahmad @ wasim Akhtar @ Wasiuddin Ahmad Village- Khasganj P.s- Sohsarai District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Thakur, Adv. Mrs. Vaishnavi Singh, Adv. Mr. Ritwik Thakur, Adv.
For the Opposite Party/s	:	Mr. Surendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 07-10-2025 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Sohsarai P.S. Case No. 187 of 2025 instituted for the offences under Sections 196, 199, 353, 302, 299 of the Bhartiya Nyaya Sanhita, 2023 and Section 66(D) of the Information Technology Act.

3. As per prosecution case, the accusation against the petitioner is of posting a video on the social media Facebook profile in the name of Advocate Shamim Akhtar (petitioner) in which he is giving a provocative speech, thereby attempting to disturb the social harmony between two communities and to



spread religious frenzy.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case, stating that no inciteful video has ever been posted by the petitioner on any social platform. Learned counsel for the petitioner further submits that in the alleged video, the petitioner allegedly mentioned about the 2023 incident wherein a mosque was damaged and *Kuransharif* was burnt and, so far as, the discussion of 2023 incident is concerned, the same cannot be said to be promoting enmity between any community or cause public mischief. The petitioner has completed LL.B in the year 2019 and is a social worker and has also contested local election in the year 2019. The petitioner has six criminal antecedents and is languishing in judicial custody since 14.07.2025 without any rhymes or reason. Charge-sheet has been submitted against the petitioner under Sections 196(1), 353 (b) and (c), 299 and 302 of the Bhartiya Nyaya Sanhita, 2023.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner, stating that the offence alleged is serious in nature. The petitioner also bears six criminal antecedents almost of similar



nature of offence and, thus, he does not deserve bail.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Sohsarai P.S. Case No. 187 of 2025.

(Rudra Prakash Mishra, J)

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