

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1055 of 2021**

Arising Out of PS. Case No.-485 Year-2020 Thana- KAHALGAON District- Bhagalpur

JAWED AKHTAR S/o Mo. Sikandar Ansari R/o village- Baraini, P.S.-
Kahalgaon, District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha, Advocate
For the Opposite Party/s : Mr. Yogendra Kumar, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER**

3 16-06-2021 Heard Mr. Ranjan Kumar Jha, learned counsel for the petitioner and Mr. Yogendra Kumar, learned Additional Public Prosecutor appearing for the State through video conferencing.

Petitioner seeks regular bail in connection with Kahalgaon P.S. Case No. 485 of 2020 registered for the offences punishable under Section(s) 153(A), 294 of the Indian Penal Code, 1860, Sections 67 and 67(A) of Information Technology Act.

The allegation against the petitioner as per the First Information Report is that the petitioner has shared some objectionable Facebook photographs of Hindu God and Goddess.

Learned counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged and there was no intention of the petitioner to hurt the religious



feelings of other community. Learned counsel further submits that from perusal of the First Information Report it would be evident that the petitioner has shared the post of one Reehan Khan and that post in question was not originated from the Facebook account of the petitioner. Learned counsel also submits that the petitioner is 20 years old young boy and is a student. Learned counsel next submits that Section 294 Indian Penal Code, Sections 67 and 67(A) of I.T. Act are bailable offences and from perusal of the allegation against the petitioner, it appears that Section 153(A) is not attracted. Learned counsel next submits that the petitioner has remained in custody since 9.8.2020 having no criminal antecedent and charge sheet has already been submitted in the matter.

Having regard to the submissions made by the parties and taking into consideration the materials on record and the fact that the petitioner is a student and charge sheet has already been submitted in the matter as well as he is in custody since 9.8.2020 having no criminal antecedent, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the



satisfaction of learned Chief Judicial Magistrate,
Bhagalpur/concerned court, in connection with Kahalgaon P.S.
Case No. 485 of 2020.

It is made clear that at the time of furnishing bail
bonds all the parties shall follow the guidelines regarding social
distancing.

(Anil Kumar Sinha, J)

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