

THE COURT OF THE JUDICIAL MAGISTRATE XXI, RANCHI.

Pithoria P.S. Case No. 58/2019

State v. Richa Bharti

Cs. Misc - 4600/2019

State - vs - Richa Bharti

For State- Smt. Meenakshi Kandulna, Id. APP
For Defence- Mr. Ganesh Prasad Aggrawal, Id. Adv.

15/07/2019

A petition for the grant of regular bail has been filed by the petitioner namely Richa Bharti who has been remanded in judicial custody in connection to Pithoria P.S. case no 58/2019 registered on 12/07/2019 u/s 153 (A) (1) (a), (b) and 295 (A) of the IPC, 1860 and the petitioner is in judicial custody since then.

Brief facts of case is that the informant Mansoor Khalifa Sadar Anjuman Committee, Pithoria filed a written FIR before the Pithoria Police Station on 12-07-2019 that a girl named Richa Bharti has been posting criticizing messages on Facebook and Whatsapp against Islam, which has adversely affected the feelings of Muslim Community, which could lead to communal controversy. A petition signed by fifty-seven (57) persons and copy of various messages posted by the accused attached with the FIR.

The Id. adv. on behalf of the petitioner, has submitted that petitioner is innocent and has not committed any offence as alleged in FIR. She has not published any statement, which is defamatory in nature or promotes enmity. Parties have agreed to compromise this case and do not wish to proceed further. During course of argument, it is submitted by the Id. Adv that the petitioner respect for every religion and in order to establish harmony between the parties, she is ready to abide conditions imposed by the Court.

On the other hand, Id. APP has opposed bail application. Advancing her counter submissions, Id. APP has submitted that the petitioner is named in the written complaint made by the informant. There is categorical allegation against the petitioner that she has posted various post on Facebook and Whatsapp, which are defamatory in nature and hurting sentiments of particular community.

Heard rival submissions. On perusal of case record as well as documents of arrest and



copies of several posts of petitioner on Facebook and Whatsapp and considering the fact that the petitioner is a young girl of age 19 years, who has posted/forwarded various comments on social media, which appears to be hurting the sentiments of a particular community. The fact that the petitioner has been in judicial custody since 12-07-2019, she is a young girl of tender age having future prospects, she be released on bail on furnishing bail bond of ₹ 7000/- with two sureties of like amount each with condition that one of the bailer shall be local resident of Ranchi district and another must be a relative of the petitioner.

The Court cannot ignore the fact that religious harmonies must be maintained in our society, one must respect sentiments of other religion as well. Considering the age of the petitioner and nature of offence as alleged, in order to neutralize the situation, this Court thinks it proper to impose one additional condition to donate five copies of Holy Kur'an, out of which one copy may be gifted to Sadar Anjuman Committee, Pithoria and rest four copies may be donated to Government University/College/School of Ranchi by way of bona fide gesture and submit a report within 15 days to this Court. Accordingly, Cr. Misc. 4601/2019 is disposed of.

(Self typed)

J.M. 1st Class, Ranchi.

Put up on furnishing bail bond.

Later on 15.07.2019

As per above order bail bond on behalf of accused Richa Bharti filed. Checked and found in order, hence accepted. Issue release order of the petitioner.

J.M. 1st Class, Ranchi