

**Allahabad High Court Grants Bail To Man Accused Of Posting Objectionable Material Against UP CM Yogi Adityanath On FB**

**2023 LiveLaw (AB) 35**

**HIGH COURT OF JUDICATURE AT ALLAHABAD**

**HON'BLE SAMEER JAIN, J.**

**CRIMINAL MISC. BAIL APPLICATION No. 50360 of 2022; 03.01.2023**

**Sajid @ Sajid Pardhan versus State of U.P.**

*Counsel for Applicant:- Manoj Kumar, Manish Kumar*

*Counsel for Opposite Party:- G.A.*

1. Heard Sri Manoj Kumar, learned counsel for the applicant and Dr. S.B. Maurya, learned A.G.A.-I for the State.
2. The instant application has been moved on behalf of the applicant to release him on bail in Case Crime No. 248 of 2022, under Sections 295A, 505 (2) I.P.C. and Section 67 of Information Technology Act, Police Station Dilari, District Moradabad during pendency of the trial in the court concerned.
3. The allegation against the applicant is that he uploaded some objectionable material on his Facebook with regard to Hon'ble the Chief Minister.
4. Learned counsel for the applicant submitted that applicant is innocent and he has been falsely implicated and even if the allegation are accepted, then also all the offences are triable by Magistrate 1st class and maximum punishment provided for the offences are three years and applicant is in jail since September, 2022 and he has no criminal history to his credit.
5. Per contra, learned AGA although opposed the prayer but could not dispute the fact that maximum punishment provided for the alleged offences is three years and applicant has no criminal history and he is in jail since September, 2022.
6. I have heard learned counsel for the parties and perused the record of the case.
7. All the offences in which applicant was challaned, are having maximum punishment of three years and applicant is in jail since September, 2022 i.e. for about more than three months and he has no criminal history. Further all the offences are triable by Magistrate 1st class, therefore in view of this Court, applicant is entitled to be released on bail.
8. In the light of discussions made above, without expressing any opinion on the merits of the case, the instant bail application is **allowed**.
9. Let the applicant- **Sajid @ Sajid Pardhan** be released on bail in the aforesaid case on furnishing a personal bond and two sureties each in the like amount to the satisfaction of the court concerned with the following conditions:-
  - (i) The applicant shall appear before the trial court on the dates fixed, unless his personal presence is exempted.
  - (ii) The applicant shall not directly or indirectly, make inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or any police officer or tamper with the evidence.
  - (iii) The applicant shall not indulge in any criminal and antisocial activity.
10. In case of breach of any of the above condition, the prosecution will be at liberty to move an application before this Court for cancellation of the bail of the applicant.