



HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. BAIL APPLICATION No. - 22482 of
2025

Javed

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Hemant Kumar, Satyendra Kumar Tripathi
Counsel for Opposite Party(s)	:	G.A.

Court No. - 69

HON'BLE ARUN KUMAR SINGH DESHWAL, J.

1. Rejoinder affidavit filed by learned counsel for the applicant in Court today, is taken on record.
2. Heard Sri Hemant Kumar, learned counsel for the applicant, Sri Rakesh Kumar Mishra, learned A.G.A. for the State and perused the record.
3. Instant bail application has been filed with a prayer to release the applicant on bail during the trial in Case Crime No. 220 of 2025, under Section 152 B.N.S., Police Station- Jani, District Meerut.
4. Contention of learned counsel for the applicant is that though allegation was made in the FIR applicant uploaded the video on his Whatsapp status showing the photo of Prime Minister of India, Shri Narendra Modi as well as the Prime Minister of Pakistan and in the background video of film was running wherein audio was playing that both two sides were talking to each other and telling that public of both the countries are not happy with their leader and want to remove them from this post. Therefore, we should exchange poisonous words against each other and also engage in war so that the people would remain

mum for 5 years. It is further submitted that even it is admitted that aforesaid video was uploaded on the status of the applicant even then the case would not fall within the premise of under Section 152 BNS. Therefore, applicant has been falsely implicated and applicant has no criminal history and he is languishing in jail since 11.06.2025. The charge sheet has already been submitted by the police, therefore, he is entitled to be enlarged on bail. In case, he is granted bail, he will not misuse the liberty of bail and would cooperate in the trial proceedings.

5. Per contra, learned A.G.A. for the State vehemently opposed the prayer for bail. He submits that the contents of video uploaded by the applicant on his Whatsapp status will attract under Section 152 BNS.

6. Thus, considering the entire facts and circumstances of the case, submissions of learned counsel for the parties and the allegation made in the FIR, this Court is of the view that aforesaid video on the whatsapp status of applicant does not attract the ingredients of Section 152 BNS and keeping in view the nature of offence, evidence, complicity of accused and without expressing any opinion on the merits of the case, I am of the opinion that the applicant is entitled to be enlarged on bail.

7. Let the applicant- **Javed** involved in the aforementioned crime be released on bail, on his 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 not directly or indirectly make any 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 to any police officer or tamper with the evidence.
- ii. The applicant shall cooperate in the trial/investigation sincerely without seeking any adjournment.
- iii. The applicant shall not indulge in any criminal activity or commission of any crime after being released on bail.
- iv. The applicant shall not upload any objectionable post on

social media.

v. The applicant shall attend in accordance with the conditions of the bond executed by him.

8. In case of breach of any of the above conditions, it shall be a ground for cancellation of bail.

9. Identity, status and residence proof of the applicant and sureties be verified by the court concerned before the bonds are accepted.

October 8, 2025

Imtiyaz

(Arun Kumar Singh Deshwal,J.)