

SL. No	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGES'S ORDERS
			<p>BAI No. 1120 of 2022</p> <p><b><u>Hon'ble N.S. Dhanik, J .</u></b></p> <p>Mrs. Pushpa Joshi, learned Senior Counsel assisted by Mr. Nandan Arya and Mrs. Chetna Latwal, learned counsel for the applicant.</p> <p>Mrs. Mamta Joshi, learned Brief Holder for the State of Uttarakhand.</p> <p>Mr. Pranav Singh, learned counsel for the complainant.</p> <p>Heard learned counsel for the parties.</p> <p>This is first bail application moved on behalf of the applicant seeking regular bail in connection with Case Crime No. 849 of 2021 for the offence punishable under Section 153A, 295A IPC registered at Thana Kotwali Nagar Haridwar, District Haridwar.</p> <p>It is argued by learned counsel for the applicant that the applicant has falsely been implicated; that the applicant has no criminal history; and he is languishing in jail since long. She further argued that the FIR is a delayed one; that as per the FIR, on 17<sup>th</sup>, 18<sup>th</sup> and 19<sup>th</sup> of December, 2021 in Bhupatwalla Area of Haridwar, a religious meet was conducted where Wasin Rizwi @ Jitendra Narayan Tyagi etc gave speech in which they made objectionable and instigating statements against Islam and Prophet Mohammad (Founder of Islam), and by doing this, the aforementioned program was telecasted on facebook live; that the applicant is not named in the FIR and no clear role has been assigned to the applicant; that the applicant being a sadhu who belongs to Hindu Community, is being falsely implicated in the present case; that the FIR is based on an alleged video clip that has not been established as real ; that</p>

the FIR has been lodged due to animosity between the complainant and the present applicant; and that one of the co-accused has already been granted bail by the lower Court on 07.05.2022 and the present applicant is also entitled for bail at least on the ground of parity.

Learned State Counsel admitted the fact that one of the co-accused has already been granted bail by the lower Court on 07.05.2022.

Learned counsel for the complainant vehemently opposed the bail application.

Considering the facts and circumstances of the case, without expressing any opinion as to the final merits of the case, this Court is of the view that the applicant deserves bail at this stage.

The bail application is allowed.

Let the applicant be released on bail, on executing a personal bond and furnishing two reliable sureties, each of like amount, to the satisfaction of Court concerned.

All pending applications stand disposed of, if any.

Let a certified copy of this order be supplied to learned counsel for the parties, on payment of usual charges, today itself.

**(N.S. Dhanik, J.)**

19.05.2022

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