

In the Court of Sessions Judge, Madhepura.
A.B.P. No. 425 of 2026
(Arising out of Madhepura Cyber P.S. Case No. 19 of 2026)

1. Mohd. Afzal alias Afzal Raj @ Rajoo S/o Mohd. Akhtar,
Resident of Jhandapur, Ward No. 07, P.S. - Puraini, District – Madhepura, Bihar and
2. Prashant Kumar S/o Upendra Sah,
Resident of Jai Prakash Nagar, Ward No. 06, P.S. + District – Madhepura,
Occupation – Journalist, Koshi Times Bihar.

.....Petitioners.

Versus

The State of Bihar.

.....Opposite Party.

03.
22.04.2026

This anticipatory bail application filed under section 482 BNSS on behalf of both the above named petitioners, who are apprehending their arrest in connection with Madhepura Cyber P.S. Case No. 19 of 2026 under sections 353 (2), 308 (2), 3 (5) of the B.N.S., under section 25 (9) of the Arms Act and under section 66 (C) of the I.T. Act, is pressed today for hearing.

Heard Sri Barun Kumar, learned counsel appearing on behalf of both the above named petitioners and Sri Bibeka Kumar Singh, learned Public Prosecutor appearing on behalf of the State of Bihar.

It is alleged in the First Information Report by the informant Sushil Kumar Marandi, Inspector of Police, Cyber Police Station, Madhepura that on 25.03.2026 at about 11.10 A.M. the informant received a video on social media in which one person is found displaying illegal fire arms and in that video Police Station – Puraini, District – Madhepura is mentioned. It is further alleged that video has been sent to S.H.O., Puraini by the S.H.O. through whatsapp for verification and after verification it was narrated by the S.H.O., Puraini that the person shown in the video is the petitioner Md. Afzal / Afzal Raj / Rajoo, who is the journalist of Koshi Times, Bihar. It is further narrated by the S.H.O., Puraini that on 24.03.2026 a news was displayed by the petitioners on their Facebook channel of Koshi Times Channel, Bihar that after taking money smack smuggler has been released by the police whereas regarding this matter Puraini P.S. Case No. 62 / 26 dated 22.03.2026 under sections 8 (c) / 21 (a) N.D.P.S. has been lodged and the accused has been forwarded to the Court and due to this forged news, anger is spreading among the common people, which can create the law and order situation. The coordinator of the Facebook page of Koshi Times, Bihar is the petitioner Prashant Kumar.

Learned defence counsel submitted that the petitioners are innocent and they have committed no offence as alleged in the F.I.R. The petitioners are Journalists by profession. Learned defence counsel further submitted that it is not only the Koshi Times but also other newspapers i.e. Dainik Jagran printed the same contents but the journalists of that newspaper have not been made accused in this case. Learned counsel for the defence further submitted that the police instituted the frivolous F.I.R. against the journalists to get their voice stopped for intimating the people regarding what is going on. It is further submitted by the learned defence counsel that there is no recovery of seizure-list either regarding pistol or any thing. The state cannot be allowed any one to dictate the democracy and prevent the

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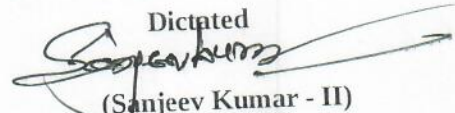
journalists from giving information to the public at large as how they are governed. There is no specific overt act of any kind is alleged against any of these petitioners. These petitioners have got no past criminal antecedent. Hence, it is prayed by learned defence counsel that lenient view may be taken in the matter of anticipatory bail of these petitioners.

Learned Public Prosecutor appearing on behalf of the State of Bihar conceded the above submissions of learned defence counsel.

Perused the xerox copy of the case diary. It appears that the petitioners are journalists. The alleged fire arms shown to be displayed on Facebook page of Koshi Times, Bihar has not been recovered by the police. It is probable that some one has made available the aforesaid act of displaying video of flashing pistol on facebook page of Koshi Times, Bihar with the help of A.I. It further appears that no specific overt act of any kind is alleged against these petitioners to show that these petitioners created situation of disturbing law and order in the locality.

Having considered the facts and circumstances of the case, as discussed above, I find that both the above named petitioners deserve anticipatory bail and accordingly both the petitioners, namely, Mohd Afzal @ Afzal Raj @ Rajoo and Prashant Kumar are directed to be released on anticipatory bail, in the event of their arrest or surrender before the learned lower court within 15 (fifteen) days from the date of receipt / production of a copy of this order in the learned lower court, on their furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the learned lower court in connection with Madhepura Cyber P.S. Case No. 19 of 2026.

Dictated


(Sanjeev Kumar - II)
I/C Sessions Judge,
Madhepura.