

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

ANTICIPATORY BAIL APPLICATION NO.1438 OF 2021

Rana Ayyub

.. Applicant

Versus

State of Uttar Pradesh
Through DG (Crime Branch)
and Anr.

.. Respondents

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Mr.Mihir Desai, Senior Advocate i/b. Ms.Devyani Kulkarni,
Advocate for the Applicant.

Mr.A.R. Kapadnis, APP for the Respondent – State.

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CORAM : PRAKASH D. NAIK, J.

DATED : JUNE 21, 2021.

P.C. :

The applicant contends that transit anticipatory bail be granted to her in connection with FIR No.502 of 2021, registered with Loni Border Police Station Gaziabad District, Uttar Pradesh, for offences punishable under Sections 153, 153-A, 295-A, 505 and 120-B read with 34 of Indian Penal Code (“IPC”, for short).

2 The contention of the applicant is that she is an investigative journalist and writer. She has worked as reporter,

editor and columnist with leading publications in India and internationally. She was editor with Tehelka. She was awarded Sanskriti Award for integrity and excellence in journalism by President of India. She was recipients of Global Shining Lite Award for investigative journalism in 2017 and the Most Resilient Global Journalist of 2018, at the Peace Palace in Hague. In 2019, she was named by Time Magazine among ten global journalists who face maximum threats to their lives across the world.

3 The applicant contended that the FIR has been registered on the basis of allegations that a video was uploaded on social media which was circulated by several persons. One 72 year old person named Abdul Saifi was being beaten by some persons and cutting his beard. Incident was reported by several newspapers and media as hate crime. The applicant re-tweeted tweet of another person. It was thereafter alleged that victim and miscreants were known to each other and incident had occurred on account of dispute between them. It is alleged that the applicant has circulated it on Twitter Handle allegedly without verifying the genuineness of the video. The applicant has contended that after knowing about contents of FIR, the applicant has deleted respective tweets from her Twitter. It is further submitted that the applicant has undergone spinal surgery and

has acute pain in her spine. Learned counsel for the applicant submitted that notice about the hearing of this application is given to respondent no.1.

4 Learned APP submitted that the FIR has been registered in Uttar Pradesh. Investigation is conducted by concerned police station. It is alleged that applicant has tweeted without verifying contents of video.

5 The applicant is seeking temporary protection to enable her to approach the appropriate Court for seeking appropriate relief in connection with the aforesaid FIR. Since the investigation is being conducted by the concerned police station and the appropriate application will be dealt with on merits by the concerned Court, it is not necessary to adjudicate on merits of the matter, however, to enable the applicant to approach appropriate Court, protection in accordance with Section 438 of Cr.P.C. can be granted for a temporary period of four weeks.

:: ORDER ::

- (i) In the event of arrest of the applicant in connection with FIR No.502 of 2021, registered with Loni Border Police Station Gaziabad District, Uttar Pradesh, the applicant be released on bail on

executing P.R. Bond in the sum of Rs.25,000/-, with one or more sureties in the like amount;

- (ii) This protection has been granted to the applicant for a period of four weeks to enable the applicant to approach appropriate Court for seeking appropriate reliefs;
- (iii) Anticipatory Bail Application No.1438 of 2021, stands disposed of accordingly.

(PRAKASH D. NAIK, J.)