

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**NAGPUR BENCH : NAGPUR**

**CRIMINAL APPLICATION (ABA) NO. 520 OF 2021**

Jitendra s/o Adkuji Raut

..vs..

State of Maharashtra, thr. P.S.O.

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Office Notes, Office Memoranda of Coram,  
appearances, Court's orders of directions  
and Registrar's orders  
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Court's or Judge's orders

Shri M.V. Rai, Advocate for applicant.

Shri S.D. Sirpurkar, A.P.P. for non-applicant/State.

**CORAM : VINAY JOSHI, J.**

**DATED : 25/11/2021**

Heard.

2. In anticipation of arrest in Crime No.248 of 2021 registered with Sindewahi Police Station, District Chandrapur for the offence punishable under Sections 504, 505(2) and 506 read with Section 34 of the Indian Penal Code, the applicant is prayed for pre-arrest protection.

3. It is alleged that the applicant has put posts on Facebook to promote enmity and ill-will between the classes. It is submitting that, those posts does not constitute an offence. It is contended that the applicant will not use social media for the period of next six months and filed undertaking to that effect.

4. The non-applicant/State resisted bail by filing reply-affiavit.

5. Already incriminating material has been recovered from social media. It is submitted that the applicant has supplied mobile hand set to the Police. The alleged offence would attract the punishment which may extend up to three years only. Having regard to these facts, applicant's liberty can be protected by directing him to join the course of investigation. In view of that following order is passed:

- (a) Criminal Application stands allowed and disposed of.
- (b) Ad-interim order dated 20.08.2021 is hereby made absolute upon same terms and conditions.
- (c) Henceforth, the applicant shall attend concerned Police Station on every Sunday in between 12.00 noon to 02.00 pm till filing of the charge-sheet or for the period of 60 days whichever is earlier.
- (d) The applicant shall abide by his undertaking given to this Court for non-use of social media for six months from today.
- (e) The applicant/accused shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case, as also shall not tamper with the evidence.

- (f) Breach of either of condition would give rise to the prosecution to move this Court for cancellation.

**JUDGE**

*Trupti*