



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

969 ANTICIPATORY BAIL APPLICATION NO. 1166 OF 2024

Sudhir @ Sudam Sukhdeo Shinde

VERSUS

The State of Maharashtra

...

Advocate for Applicant : Mr. M.P. Kale h/f Mr. S.A. Ambad
APP for Respondents: Mr. R.B. Dhaware

.....

CORAM : SHIVKUMAR DIGE, J.
DATED : 24th JULY, 2024.

PER COURT :-

1. The applicant apprehends arrest in connection with crime No.150 of 2024 registered with Pimpalner Police Station, district Beed, for the offences punishable under Sections 505(2) and 153-A of the Indian Penal Code.

2. It is the prosecution's case that the informant is follower of Smt. Pankaja Mundhe, the B.J.P. leader. In the Parliamentary elections of 2024 of Beed Parliamentary constituency, Smt. Pankaja Mundhe was defeated. Thereafter, the applicant on his Facebook account uploaded an insulting post to Wanjari community and their feelings. He then narrated the detail post uploaded by the applicant on his Facebook account.

3. It is the contention of the learned counsel for the applicant that there is delay in lodging the F.I.R. The applicant has not committed any crime. Learned counsel further submitted that the post of the applicant does not create any enmity between two groups. He has not taken name of any members in the post. Considering the allegations against the applicant, his custodial interrogation is not required and requested to allow the application.

4. It is the contention of the learned APP that the applicant had uploaded the said post on Facebook with an intention to create inimical terms between two communities. The applicant has criminal antecedents. Considering the allegations against the applicant, his custodial interrogation is required and requested to reject the application.

5. I have heard both the learned counsel. Perused the F.I.R. and the police papers produced on record. The allegations against the applicant are that he uploaded the Facebook post on social media insulting to a particular community. Considering the allegations against the applicant, his custodial interrogation is not required and I pass the following order :-

ORDER

(i) The application is allowed.

(ii) The interim anticipatory bail granted to the applicant vide order dated 12.07.2024 stands confirmed on the same terms and conditions with following modification:-

(a) The applicant shall not upload any post on social media which creates inimical terms between two communities.

(SHIVKUMAR DIGE, J.)

rlj/