

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD.

937 ANTICIPATORY BAIL APPLICATION NO. 1528 OF 2025

Arun Shankar Gaikwad

VERSUS

The State Of Maharashtra

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Mr. Girish K. Naik-Thigle - Advocate for Applicant

Mr. N. D. Batule - APP for State

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CORAM : NEERAJ P DHOTE, J.

DATED : 15TH OCTOBER, 2025

PER COURT : -

1. Heard the learned Advocate for the Applicant and the learned APP for the State. Perused the papers.

2. Crime No. 0784 of 2025 came to be registered with Shirdi Police Station, District Ahilyanagar, for offences punishable under Sections 302 [uttering words, etc., with deliberate intent to wound religious feelings of any person] and 353(2) [statements creating or promoting enmity, hatred or ill-will between groups] of the Bharatiya Nyaya Sanhita, 2023.

3. The case of the Informant is that, on 29.07.2025, the Applicant made a statement which hurt the religious feelings of the Informant and many other persons like him. Therefore, the Informant reported the same to the Police.

4. The only non-bailable Section is 353(2) of the Bharatiya Nyaya Sanhita, 2023. The said provision shows that, the said statement should be made with the intent to create or promote hatred or ill-will among religious groups. The Applicant had given explanation to the concerned Police Station that, the said statement was made inadvertently and that, he had apologised for the same. Considering the nature of the offence, the investigation is possible without the custodial interrogation of the Applicant. Hence, I proceed to pass the following order : -

ORDER

- [i] The Application is allowed.
- [ii] In the event of arrest of the Applicant, namely, Arun Shankar Gaikwad, in connection with Crime No. 0784 of 2025 registered with Shirdi Police Station, District Ahilyanagar, he be released on bail on his furnishing P.B. of Rs. 30,000/- [Rupees Thirty Thousand] with one or two sureties in the like amount.
- [iii] The Applicant shall attend Shirdi Police Station, District Ahilyanagar, as and when called.
- [vi] The Application stands disposed off.

[NEERAJ P. DHOTE]
JUDGE

SG Punde