

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 1817 OF 2025

Ashraf Naseem Khan ...Applicant
Versus
State of Maharashtra ...Respondent

Adv. Misbaah Solkar a/w Mr. Parvez Sanadi for Applicant.

Mr. Anand Shalgaonkar, APP for the Respondent-State.

CORAM : SHIVKUMAR DIGE, J.
DATE : 8th SEPTEMBER 2025

P.C.

1. Applicant is apprehending arrest in Crime No.2 of 2025 registered with Cyber Police Station, Ratnagiri Dist. Ratnagiri for the offences punishable under Sections 353(1)(b), 353(2) of the Bhartiya Nyaya Sanhita (for Short “BNS”).

2. It is prosecution’s case that on 13th March 2025, Applicant has posted derogatory post on social media to promote enmity between two classes.

3. It is contention of learned counsel for applicant that applicant has posted story on social media. He had no intention to post the said story. He has cooperated with the investigation and requested to allow the application.

4. It is contention of learned APP that applicant has co-operated with the Police. He has handed over his mobile to police. Hence, appropriate orders may be passed.

5. I have heard both the learned counsels, perused the FIR and documents placed on record. Applicant is on interim relief. He has cooperated with the investigation. The allegations against him are that he posted derogatory statement creating enmity between two classes. Considering the allegations against the applicant his custodial interrogation is not required. Hence, I pass the following order.

ORDER

(i) Interim order granted earlier is made absolute.

(ii) In the event of arrest, the applicant be enlarged on bail in in Crime No.2 of 2025 registered with Cyber Police Station, Ratnagiri Dist. Ratnagiri, on executing PR.Bond in the sum of Rs.30,000/- with one or two sureties in the like amount.

(iii) The applicant shall attend the concerned police station as and when required.

6. The application is allowed in the aforesaid terms and is accordingly disposed off.
7. It is made clear that the above observations are made only for the purpose of granting bail and the Trial Court shall decide the case on its own merits in accordance with law and uninfluenced by the observations made in this order.
8. All concerned to act on the authenticated copy of this order.

(SHIVKUMAR DIGE, J.)