



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

BAIL APPLICATION NO. 110 OF 2026

DILIP LAXMAN NEVE
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicant : Mr. Prafullasing H. Patil
APP for Respondents: Mr. A. R. Kale

...
WITH CRIMINAL APPLICATION NO. 574 OF 2026 IN BA/110/2026

ANITA KAILAS BAVISKAR
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

...
Advocate for Applicant : Mr. Harshal P. Randhir

...
CORAM : SACHIN S. DESHMUKH, J.

DATE : 18-02-2026

PER COURT:-

1. The applicant seeks bail in connection with Crime No.01 of 2026 of Chopda City Police Station, Chopda, District Jalgaon, for the offences punishable under Sections 196(1)(a), 353(2), 356(2) and 356(3) of the *Bhartiya Nyay Sanhita, 2023*. In the said crime, the applicant was arrested on 05.01.2026.

2. The prosecution case is that both the informant and the accused maintain Facebook accounts and share posts to the mutual friends, allowing them to view and follow each other's social media activity. On 03.01.2026, at approximately 03:00 PM, the informant observed a post on his feed originally uploaded by the account of Pushparaj Tripathi, which was subsequently shared

by the applicant. This post allegedly contained objectionable language. The prosecution contends that the nature of these contents was intended to flare up enmity between different social groups and targeted a specific religion. Consequently, the FIR was lodged.

3. The learned counsel for the applicant submits that no *prima facie* case is established, as the applicant merely shared a post authored by another individual. Since the applicant has deleted the part in question and provided a screenshot and the applicant's mobile phone has already been seized, further custodial incarceration is unjustified and serves no investigative purpose. The applicant has no criminal intent to outrage religious sentiments. Hence, prayed to allow the application.

4. The learned A.P.P. and the learned counsel for the informant strongly opposed the application, contending that the applicant's release would provoke public outrage and trigger a law and order situation. It was further submitted that the applicant, if granted liberty, may tamper with the ongoing investigation and the integrity of the prosecution evidence. Consequently, it was argued that the applicant is not entitled to be admitted on bail.

5. Having heard the respective counsels for both sides and upon perusal of the record, it, *prima facie*, appears that the applicant is not the author of the post in issue but merely shared

content uploaded by another individual. Considering that the informant provided a relevant screenshot to the police before the post was deleted, and the applicant's mobile device has been seized, the primary electronic evidence is already preserved. Moreover, the applicant has no criminal antecedent to his discredit.

7. The investigation is substantially complete and the physical evidence is in police custody, as such, further incarceration of the applicant serves no investigative purpose. Apprehension regarding a potential law and order situation or the tampering of evidence can be effectively mitigated by imposing stringent conditions.

8. Hence, the following order:-

ORDER

- (i) The bail application is allowed.
- (ii) Applicant, Dilip Laxman Neve, be released on bail, upon furnishing P.R. bond in the sum of Rs.50,000/- (Rs.Fifty Thousand) with one or two local solvent sureties, in the like amount, in connection with Crime No.01 of 2026 of Chopda City Police Station, Chopda, District Jalgaon, for the offences punishable under Sections 196(1)(a), 353(2), 356(2) and 356(3) of the Bhartiya Nyay Sanhita, 2023, on the following conditions :-

- (a) The applicant shall not pressurize the prosecution witnesses and tamper with the prosecution evidence, in any manner.
 - (b) The applicant shall attend the trial on each and every date unless exempted by the trial Court and shall not leave the area of jurisdiction of the concerned Police Station till conclusion of the trial.
 - (c) The applicant shall submit Aadhar and Pan Cards to the Investigating Officer and detailed address and phone numbers and two of the near relatives.
 - (d) In case of breach of any of the conditions by the applicant, it is open for the Prosecution to move this Court seeking cancellation of bail.
- (iii) Criminal Application No.574 of 2026 stands disposed of.
- (iv) Needless to state that the observations rendered herein are to the extent of this application and the trial Court shall not be influenced by the same.

[SACHIN S. DESHMUKH, J.]