



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL APPEAL NO. 491 OF 2025

ABHIJIT MORESHWAR MOHURLE

VS

STATE OF MAHARASHTRA AND ANR.

*Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders.*

Court's or Judge's order

Shri M.V.Rai, Advocate for appellant.
Shri U.R.Phasate, APP for respondent/State.
Shri B.A.Barthe, Advocate for respondent no. 2.

CORAM : NEERAJ P. DHOTE, J.

DATE : 30/01/2026

This is an Appeal under Section 14-A of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (for short, 'SC & ST Act').

2. **Admit.**

3. Heard learned Advocate for the Appellant, learned APP for the State and learned Advocate for the Respondent no. 2.

4. The Appellant is arrested by the Ashti Police Station in Crime No. 0069/2025, dated 26/03/2025, registered for the offence punishable under Section 299 of the Bharatiya Nyaya Sanhita (BNS), 2023 and for the offences punishable under Sections 3(1)(U) and 3(1)(V) of the SC & ST Act.

5. The case of the prosecution is that, the objectionable articles and the photos were printed/written on the wall of Zilla Parishad School. The said objectionable writings and the photographs were defamatory and capable of creating

disharmony amongst the different sections of the society. The Respondent no. 2 lodged the aforesaid report against the unknown person. During the course of investigation, the Appellant came to be arrested and his mobile phone came to be seized. In his mobile phone, similar article was found.

6. Admittedly, the crime is registered against the unknown person. The gist of the charge-sheet shows that, the photos found in the mobile of the Appellant, was of the earlier incident. Except it, there is no material against the Appellant to connect him with the present crime. The maximum punishment for the said offence is for 5 years, which is a term sentence. The investigation is over and the charge-sheet is filed. Considering these aspects of the matter, I am inclined to allow the Appeal. Hence, the following order:-

ORDER

[I] Criminal Appeal is **allowed**.

[II] The order dated 19/08/2025 passed by the Additional Sessions Judge, Gadchiroli in Criminal Bail Application No. 78/2025 against the Appellant in Crime No. 69/2025 is hereby quashed and set aside.

[III] The Appellant be released on bail on furnishing P.R. bond of Rs.25,000/- [Rupees Twenty Five Thousand Only] with one surety in the like amount.

[IV] The Appellant shall not tamper with the prosecution

evidence and shall remain present each and every date before the learned Trial Court.

[V] Bail before the Trial Court.

[VI] Criminal Appeal stands **disposed of** accordingly.

(NEERAJ P. DHOTE, J.)

B.T.K.