

Cri. Bail Appln. No. 723/2026
Mohammad Shamim Mohammad Kalim Khan

-Vs-

State (Shantinagar Police Station)
CNR No.MHTH290020882026



Order Below Exh.1

Dt. 04/08/2026

1] This is an application u/s.482 of the B.N.S.S. for grant of anticipatory bail in connection with Crime No. 750/2026 registered against the applicant with the Police Station Shantinagar for the offence punishable under Section 299 of the B.N.S.

2] According to the applicant/accused, there is no need of custodial interrogation of the applicant/accused. The applicant/accused is ready to co-operate to the investigation. The applicant/accused will not abscond. If the applicant/accused is arrested, then, it will be effected on his reputation. To spoil his reputation, the FIR was lodged. Therefore, the applicant/accused prayed for grant of anticipatory bail.

3] The application has been opposed by the prosecution by filing say. According to the prosecution, the applicant/accused put up a story in respect of theft at the Ram Mandir and thereby insulted the religion, therefore, FIR has been lodged. The

investigation yet not completed. The custodial interrogation of the applicant/accused is necessary. If the applicant/accused is released on bail, he will not help the prosecution in the investigation. Therefore, the prosecution prayed for rejection of the application.

4] Heard both parties.

5] Perused the FIR. The FIR shows that the applicant/accused put up story/video on the Instagram regarding theft of donation at Ram Mandir Temple and thereby insulted the Hindu religion, hence, FIR was lodged. The offence under section 299 of the B.N.S. Act has been registered against the applicant/accused. Section 299 of the B.N.S. Act say that :

“Whoever, with deliberate and malicious intention of outraging the religious feelings of any class of citizens of India, by words, either spoken or written, or by signs or by visible representations or through electronic means or otherwise, insults or attempts to insult the religion or the religious beliefs of that class, shall be punished with imprisonment of either description for a term which may extend to three years, or with fine, or with both”.

6] The crime was registered regarding theft of donation of the Ram Mandir, Ayodhya, therefore, the applicant put up the story/video regarding said fact on Instagram. The status in respect of giving information of the incident happened in the temple and it

was not deliberate intention of the applicant/accused. The information put up in the status is also not false. It was put up in dialogue form. If the information about the incident given in the dialogue is not become the malicious intention to insult of any religion. The applicant/accused insulted of any religious feelings that will be decided at the time of final hearing. The punishment to the offence is about three years. Some criminal cases are pending against the applicant/accused is not criminal antecedent. The applicant/accused will not abscond. The presence of applicant/accused before the investigation is necessary, that can be secured by imposing conditions on the applicant/accused while releasing on the bail. Considering all these aspects, the application deserves to be allowed. Hence, the following order is passed:

ORDER

- 1] The application for grant of anticipatory bail is allowed.
- 2] In the event of arrest of the applicant viz. **Mohammad Shamim Mohammad Kalim Khan**, he be released on anticipatory bail on executing PB & SB of Rs.30,000/- (Rupees Thirty Thousand only) with one surety in the like amount in connection with Crime **No. 750/2026** registered against the applicant with the **Police Station Shantinagar** for the offence punishable under Section 299 of the B.N.S., on the following conditions:

- (a) The applicant shall not directly or indirectly make any inducement, threat or promises to any person acquainted with the facts of accusation, so as to dissuade him from disclosing such facts to the Court or to the police.
- (b) The applicant shall co-operate in the investigation.
- (c) The applicant shall submit his and his relatives mobile numbers to the Police Station Officer / Investigating Officer and kept it in the operative till the trial.
- (d) The applicant shall submit his Aadhar Card, PAN Card and Driving License copy and contact address before the Investigating Officer.
- (e) The applicant is directed to attend the Police Station Shantinagar on every Monday from 11.00 a.m. to 2.00 p.m. and co-operate in the investigation and also he shall make himself available for interrogation by the Police as and when required, till filing of the charge-sheet.

Bhiwandi
Dt.04/08/2026

(N.K.Karande)
Additional Sessions Judge,
Bhiwandi