

MHBI010016332026

Criminal Bail Appln.No.500/2026**Vikas Shivaji Gade
Vs.
State of Maharashtra****ORDER BELOW EXH.1**

01] This is an application filed for anticipatory bail as per section 482 of the B.N.S.S., in connection with Crime No.92/2026 registered by Talwada Police Station, Dist. Beed for the offences punishable under section 189, 223, 239 read with Section 190 of the Bharatiya Nyaya Sanhita, 2023 and Section 11 of Maharashtra Prevention of Desecration of Statues Act, 1997.

02] Prosecution's case in brief, is as under ;

Informant – Rajendra Tukaram Ghamat is Village Officer of Sirasdevi, he lodged F.I.R. on 26.03.2026 alleging that, on 18.03.2026 at about 10.00 a.m. he received information from Peon Kishor Bhise and Sarpanch Alka Gade of Talwat Borgaon that, in between 2.00 a.m. to 4.00 a.m. on 18.03.2026 on an open plot near Hanuman temple at Talwat Borgaon applicant and co-accused have erected a statue of Chhatrapati Shivaji Maharaj riding on a horse without seeking requisite permission in Government land. Hence, the F.I.R.

03] Applicant has claimed bail on the grounds that, he is innocent and has not committed any crime as alleged. There is delay in lodging F.I.R. custodial interrogation of the applicant is not necessary.

At the relevant time the applicant was not at the spot. All the offences are triable by J.M.F.C. Applicant is resident of the given address. He is ready to co-operate in investigation and abide by the conditions that may be imposed. On these grounds, he has prayed to grant anticipatory bail.

04] Prosecution has resisted the application by filing say at Exh.7. It is the say of the prosecution that there is strong prima facie case made out against the applicant. There is active participation of the applicant in commission of crime. The investigation is in progress and custody of the present applicant is necessary for further investigation of crime. If the applicant will be released on bail, then it is likely that, he will pressurize the prosecution witnesses, interfere in the the investigation and tamper the prosecution's evidence. On these grounds, prosecution has prayed to reject the bail application.

05] Heard advocate for the applicant/accused and learned A.P.P. for the State. They argued as per application and say as referred above. To avoid repetition, I find it would be just and proper not to reproduce the arguments of both the sides.

06] Considering the rival submissions of both sides, I find that, the offence punishable under Section 189(2) and 239 of B.N.S. prescribes punishment of six months, Section 223 of B.N.S. prescribes punishment of one year and Section 11 of Maharashtra Prevention of Desecration of Statues Act, 1997 prescribes punishment of five years.

All the offences are triable by J.M.F.C. Court. There is no recovery or discovery alleged to be effected from the applicant. Hence, I find that, Custodial interrogation of the applicant is not necessary. In such situation, I find that, applicant is entitled to get anticipatory bail and pass following order.

ORDER

01. Application is allowed.

02. In the event of arrest of Applicant/accused **Vikas Shivaji Gade** in Crime No.92/2026 registered by Talwada Police Station, Dist. Beed for the offences punishable under section 189, 223, 239 read with Section 190 of the Bharatiya Nyaya Sanhita, 2023 and Section 11 of Maharashtra Prevention of Desecration of Statues Act, 1997, be released on executing P. R. Bond of Rs. 50,000/- (Rs. Fifty Thousand only) and one surety of like amount, on the following terms and conditions.

(a) Applicant shall attend the concerned police station as and when required by the Investigating Officer.

(b) Applicant shall not indulge in any offence.

(c) Applicant shall not directly or indirectly contact and pressurize the prosecution witnesses and tamper the prosecution evidence.

(d) Applicant shall not leave the jurisdiction of the Court without prior permission of the concerned Court till further order.

(e) Violation of any of the conditions imposed shall amount to cancellation of bail forthwith.

03. Inform to concerned police station accordingly.

(Order dictated and pronounced in open Court.)

Date : 15/06/2026

**(S.R.Shinde)
Additional Sessions Judge
Beed**

:: CERTIFICATE ::

" I Affirm that the content of this PDF file are word to word as per original Judgment/Order "

Dictated on :- 15/06/2026

Transcribed on :- -----

Checked & Signed on :- 15/06/2026

(A.R.Patil)
Stenographer Gr-II
District Court-2
Beed.