

MHRG170003422026



**IN THE COURT OF ADDITIONAL SESSIONS JUDGE  
AT PANVEL, DISTRICT- RAIGAD**

**Criminal Bail Application No. 164/2026**

**Shakib Mustafa Palte** ---Applicant  
**Vs.**  
**State of Maharashtra** --- Opponent

**Appearance-**

Ld. advocate Shri. Sahil Morey for applicant.  
Ld. Addl. P. P. Shri. Y.S. Bhopi for State  
Ld. Advocate Shri. D.R. Gaikwad for the informant.

**ORDER BELOW EXH. 1**

- 1] This is an application filed by applicant **Shakib Mustafa Palte** under Section 482 of the Bharatiya Nagrik Suraksha Sanhita, 2023 (in short "BNSS") for grant of anticipatory bail.
- 2] I.O. has filed say to this application at Exh.6 and thereby strongly opposed the application.
- 3] Perused application, say thereon and documents produced on the record. Informant appeared through his advocate and filed his affidavit and strongly opposed the bail application. Heard both sides.

- 4] Ld. Advocate for applicant submitted that the applicant is innocent and he is not concerned with alleged offence. There is inordinate delay of five months. In the alleged statement there is no mention of any religion. In Sukoon Residency, Hindu and other caste families are residing. So it cannot be said that said project is available for only Muslim. The FIR is nothing but political vendetta. The applicant has no criminal antecedent. Applicant is ready to obey any conditions to be imposed by the Court.
- 5] Ld. Addl. P. P. Shri. Y.S. Bhopi and Ld. Advocate Shri. D.R. Gaikwad for informant submitted that the offence is of serious nature. The applicant has made inciting statement '*Bhadve*' in reference to the Hindu Community. The said statement promote religious enmity between two groups. Therefore, on 06/09/2025 application was filed against the present applicant in Neral police station. However, police have not registered crime against present applicant. Hence, 15000 people of 60 villages of Karjat Taluka made request to Assistant Police Inspector, Neral Police station for registering crime against the present applicant. Thereafter, opinion of AGP, Alibag was taken. Thereafter, crime has been registered against the present applicant. There is no delay in lodging FIR. Delay has been satisfactory explained. Considering nature and gravity of the offence the applicant is not entitled for the anticipatory bail. Hence, prosecution and informant prayed for rejection of bail.

- 6] Perused F.I.R and documents placed on record. In Damat and Mamdapur village construction project by name Sukoon Empire is going on. Builder of the said project used word 'Halal' while advertising for sale of flats. Therefore, it seems that Sukoon Residency is available only for Muslim persons. The cognizance was taken by National Human Rights Commission taking into consideration that the Sukoon Residency is available only for Muslim persons. Many news channel had taken interviews of people about the Sukoon Residency regarding 'Halal'. While giving interview to news channel "News 18 Lokmat" the applicant Shakib Mustafa Palte made derogative statement "*Tumhi Kay Hishobane Declare Karta Ha Mini Pakistan Hoil ka?, Musalmanana Rahanyacha Adhikar Nahi ka?, He Bhadve.... Hech Rahtil Ka Ithe..*" This statement affected the feeling of the Hindu community. Therefore, informant lodged report to Neral Police Station vide C.R.No.32/2026 for the offences punishable under Section 196(1)(a), 196(1)(b), 299 and 353(3) of the BNS.
- 7] It appears that people residing in various villages of Karjat Taluka filed request to Neral police station for taking action against present applicant. Complaint is instituted on behalf of Vishav Hindu Parishad. Alleged offences are punishable with imprisonment five years. Nothing is required to be recovered at the instance of the present applicant. The applicant is permanent resident of

Mamdapur, Neral, Tal.Karjat, District-Raigad. Considering nature of case custodial interrogation is not necessary. Under these peculiar circumstances, anticipatory bail can be granted by imposing certain stringent conditions. Hence, I am inclined to grant anticipatory bail. As a result, I pass following order

**:: ORDER ::**

1. Application ( Exh.1) is allowed.
2. Ad-interim protection in the event of arrest granted to applicant **Shakib Mustafa Palte** by virtue of order Dated 25/02/2026 below Exh.4 is hereby made absolute on following terms and conditions :-
  - a) In the event of arrest in connection with crime registered in Neral Police Station vide C.R.No. 32/2026 for the offences punishable under Section 196(1)(a), 196(1)(b), 299 and 353(3) of the BNS, applicant **Shakib Mustafa Palte** be released on furnishing P.B and S.B of Rs.60,000/-(Rupees Sixty Thousand) with one or two solvent surety in like amount.
  - b) Applicant shall not tamper the evidence of Prosecution.
  - c) Applicant shall not leave India without previous permission of the Court.
  - d) Applicant shall attend the concerned police station on every Sunday in between 10.00 AM to 12.00 PM till filing charge-sheet.
  - e) Applicant shall not directly and indirectly make any inducement, threat or promise to any

person acquainted with facts and circumstances of case so as to dissuade him from disclosing such facts to the police and Court.

f) Applicant shall co-operate in investigation and make himself available for investigation as and when required by the investigation officer.

g) Applicant shall furnish his permanent and temporary residential proof, valid e-mail ID and mobile number to investigation officer.

9. Inform the concerned police station, accordingly.

Panvel,  
Dated :- 12/03/2026

(S. R. Chavan)  
Addl. Sessions Judge  
Panvel, Dist.-Raigad