

ORDER BELOW EX. 04 IN CRIMINAL BAIL APPLICATION
NO. 702 OF 2026

(Mr. Danish Ejaz Shaikh vs. The State of Maharashtra through
Mumbai Naka Police Station, Nashik)

The applicant apprehending arrest in the present crime registered with Mumbai Naka Police Station, Nashik in connection with C. R. No. 166 of 2026 for the offences punishable under sections 299, 302, 75, 79, 3(5) of the Bharatiya Nyaya Sanhita, 2023 (BNS), prayed for his release, in the event of arrest. (The applicant is presently in Central Jail, Nashik in connection with the other crime).

02] The survey of prosecution case would reveal that the informant Mr. Krushna Mane, employee of TCS company Nashik lodged complaint alleging that since 2022, he is in employment of said company. One Tosiff Attar and Danish Shaikh i.e. present applicant are his colleagues.

03] It is alleged that he is follower of the Hindu religious beliefs. However, said Tosiff and present applicant Danish used offending language against his religious belief. At the same time, they used to praise the greatness of Muslim religion. All the while, they used to make offending allegations challenging the validity and existence of his religious belief. Their malicious act outrages his religious feeling.

04] It is further alleged that they have forced the informant to read Quran and also forced him to eat non-veg food. They also tortured him by sending his adverse reports to

the higher ups and insulted in presence of others. They also threatened of dire consequences. They also used to make sexually coloured remarks against the women in the company and caused their sexual harassment.

05] The ad-interim anticipatory bail is prayed mainly on the ground that all the offences charged are punishable with less than seven years of imprisonment. There are no criminal antecedent to the discredit of the applicant. No recovery of any incriminating articles is to be effected and therefore, requested to protect personal liberty of the applicant and prayed for release on bail in the event of arrest.

06] The Learned Assistant Director of Public Prosecution filed application contending that there are eight offences registered against the present applicant and co-accused having serious allegations of rape and sexual harassment at work place. Considering of gravity of the offence, the State Govt. have formed Special Investigating Team and the investigation is in progress. Similarly, the Central Women Commission has taken serious cognizance of the offence and considering the same, requested time to file reply. Considering the reply filed by the applicant, the permission was granted to canvass argument, as in the event of arrest of the applicant in this crime, the anticipatory bail application would become infructuous.

07] Having heard Learned Advocate for the parties, it is evident that recitals of the FIR would clearly reveal that the

applicant had indulged into activities and by his deliberate and malicious act intended to outrage religious feeling of the informant by insulting his religion and religious belief. The FIR further reveals uttering of the specific words by the applicant with the deliberate intent to wound religious feeling of the informant.

08] The allegations made in the FIR cannot be looked into isolation, when there are serious criminal antecedent against the applicant. The offence charged is having wide social repercussions affecting law and order situation in the society.

09] The investigation is at nascent stage. The release of applicant would certainly affect the progress of investigation. Hence, the application deserves to be rejected in terms of order below:

ORDER

- 01] Application Ex. 4 in CBA No. 702 of 2026 stands rejected.
- 02] Issue notice to the respondent returnable on 27.04.2026.
- 03] Inform to the concern Police Station accordingly.

(Pronounced and dictated in open Court).

sd/-xxx

Place : Nashik
Date : 21.04.2026

(V. V. Kathare)
Additional Sessions Judge,
Nashik

