

The High Court Of Madhya Pradesh**MCRC-34696-2020***(KAUSAL SINGH MASRAM Vs THE STATE OF MADHYA PRADESH)***Jabalpur, Dated : 03-11-2020****Heard through Video Conferencing.**

Shri Sanjay Jharia, counsel for the applicant.

Shri Vikram Johri, Panel Lawyer for the respondent/State.

Shri Shantanu Ayachi, counsel for the objector/complainant.

Arguments heard on the application filed under Section 438 of Cr.P.C. on behalf of **Kausal Singh Masram** who is under apprehension of his arrest in connection with Crime No. 410/2020 registered at Police Station Umariya for offences punishable under Sections 292 of I.P.C. and 67 of I.T. Act.

It appears from the record that the applicant posted vulgar photograph of Dr. Mohan Bhagwat who is a reputed person of India and a leader of R.S.S. The applicant tagged 28 persons. It is submitted by learned counsel for the applicant that he himself lodged the complaint to the police regarding misuse of his I.D.

The aforesaid complaint has been lodged during pendency of this application and after two months from the registration of crime. It cannot be believed that the applicant was not having any knowledge because it is pointed out by the State as well as learned counsel for the objector that 35 persons like the post and 9 persons commented upon the post. Therefore, it may be presumed that the applicant is having the knowledge that his post has been seen by several persons.

Looking to the aforesaid act of the accused, in view of this Court, he is not entitled to get the anticipatory bail.

Accordingly, the application is **dismissed**.

(B. K. SHRIVASTAVA)
JUDGE

vy