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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

CRIMINAL APPLICATION NO. 1779 OF 2016

Pralhad s/o Shekoji Udadwad ..APPLICANT

VERSUS

The State of Maharashtra & anr. ..RESPONDENTS

Mr S. M. Kulkarni, Advocate holding for Mr O.B. Boinwad, Advocate for applicant;

Mr S. Y. Mahajan, Addl. Public Prosecutor for respondent No. 1;

Mr A. N. Nagargoje, Advocate for respondent No. 2

CORAM : N.W. SAMBRE, J.

DATE : 8th June, 2016

ORDER :

The applicant is seeking his release on pre-arrest bail, in connection with Crime No. 6 of 2016, registered at Sindkhed Police Station, Tq. Mahur, Dist. Nanded on 10th February, 2016, for the offences punishable under Sections 420, 406, 467 and 471 of the Indian Penal Code.

2. The allegations against the applicant are that the applicant has tampered with the school record in relation to his admission and has inserted in the caste column of a certificate a word 'Koli Mahadeo', so as to take benefit of Scheduled Caste category.

(2)

3. Perused the investigation papers. The applicant undertakes that he shall appear before the Scrutiny Committee in the matter of getting his caste certificate verified.

4. Learned Additional Public Prosecutor undertakes to forward a copy of said caste certificate to the Scheduled Caste Scrutiny Committee, Aurangabad.

5. It is required to be noted that, the issue whether the applicant belongs to 'Mahadeo Koli', can be gone into by the Scheduled Castes Scrutiny committee, in view of the observations made by the Division Bench of this Court in the matter of **Prakash s/o Subhash Bhople Vs. Deputy Collector(General), Latur & ors.** reported in **2015 (4) Mh.L.J. 890.**

6. In view of above, in my opinion, the custodial interrogation of the applicant is not necessary. Hence I pass following order :

In the event of arrest, the applicant be released on bail, in connection with Crime No. 6 of 2016, registered at Sindkhed Police Station, Tq. Mahur, Dist. Nanded, for the offences punishable under Sections 420, 406, 467 and 471 of the Indian Penal Code, upon furnishing P.R. Bond of Rs. 15,000/-, with one surety in the like amount.

(3)

Copy of the said order be supplied to the learned Additional Public Prosecutor, so as to facilitate him to communicate the same to the Scheduled Caste Scrutiny Committee, Aurangabad, for further compliance.

Criminal Application stands allowed in above terms.

(N.W. SAMBRE, J.)

sjk