

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

CRIMINAL APPLICATION NO. 2431 OF 2016

Yogesh s/o Poshetti Palepwad,
Age: 31 years, Occ: Service,
R/o. Behind Chinar Garden
Padegaon, Aurangabad.

...Applicant

versus

The State of Maharashtra
through Taluka Police Station
Jalna, Dist. Jalna.

...Respondent

.....
Mr. G.L. Deshpande, Advocate for applicant
Mr. S.D. Ghayal, A.P.P. for respondent
.....

CORAM : N.W. SAMBRE, J.

DATE : 10th JUNE, 2016

ORAL ORDER :

The applicant is seeking pre-arrest bail in Crime No. 116 of 2016 registered at Jalna Taluka Police Station, District Jalna, for an offence punishable under Sections 409, 465, 471, 476, 120-B read with Section 34 of the Indian Penal Code and under Sections 7 and 8 of the Maharashtra Prevention of Malpractices at University, Board and other specified examination Act, 1982.

2. The prosecution case against the applicant is that the applicant is a public servant working in Maharashtra State Secondary and Higher Secondary Education Board, Division Aurangabad and

has facilitated to other accused persons in re-writing the answer sheets by providing the material for the same.

3. The present applicant was arrested on 29/03/2016 in the aforesaid crime and was subjected to interrogation.

4. Nothing incriminating could be recovered from his custody. The only role attributed to the applicant is that he was in touch with main accused Shrimant Wagh on mobile.

5. In my opinion, even if the investigation is going on, further detention of the applicant will be of hardly any necessity.

6. In view thereof, the applicant is entitled to be released on bail. Hence, the following order:-

(i) The applicant be released on bail in connection with Crime No. 116 of 2016 registered at Jalna Taluka Police Station, District Jalna, for an offence punishable under Sections 409, 465, 471, 476, 120-B read with Section 34 of the Indian Penal Code and under Sections 7 and 8 of the Maharashtra Prevention of Malpractices at University, Board and other specified examination Act, 1982, upon furnishing P.R. bond of Rs.25,000/- with one surety

in the like amount.

(ii) The applicant shall not enter the office of Maharashtra State Secondary and Higher Secondary Education Board, Division Aurangabad and jurisdiction of the concerned police station till filing of the charge sheet.

(iii) The applicant shall not tamper with the prosecution evidence.

7. Criminal Application stands allowed in above terms.

[N.W. SAMBRE, J.]