

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO.121 of 2016

Rajiv @ Raju Ramrao Lande.	...Applicant.
versus	
The State of Maharashtra.	..Respondent.
.....	
Mr. Prakash Naik along with Pawan Mali for the	Applicant.
Mrs.S.S. Kaushik, A.P.P. for the State.	
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CORAM : A.S. GADKARI, J.

22nd January, 2016.

P.C. :

The applicant is seeking bail in CR No.II 21/2015 registered with Manikpur Police Station, District Palghar under Section 7 of the Maharashtra Prevention of Malpractices at University, Board and other specified Examinations Act, 1982 and under Section 188, 420, 464, 468, 471, 120B read with 34 of the I.P.C.

2) It is the prosecution case that the applicant through electric gadget namely mobile phone provided (supplied) answers to the candidate who was appearing for the examination for the post of Clerk to be appointed in the Revenue Department. The said examination was being held

at G.J.Vartak High School, Vasai. The Supervisor of the examination noticed the said malpractices and informed the police. The police thereafter apprehended the co accused namely Arun Gavali in the examination hall. Subsequently the first information report is registered.

3) The applicant is arrested on 14.12.2015. He was granted police custody for a period of 10 days. Initially the offence only under Section 7 of the Maharashtra Prevention of Malpractices at University, Board and others Specified Examinations Aft, 1982 was registered, for which the maximum punishment is six months. It appears from the record that during the pendency of the application other sections have been added to the aforesaid crime. The Mobile phone used by the candidate who appeared for the examination and the applicant for supplying or providing the answers have already been seized by the police. It appears from the record that the investigation pertaining to the present crime is almost over. In view of the same, I am of the opinion that the applicant can be released on bail. Hence, the following order.

ORDER

a) The applicant shall be released on bail in CR NO.II-21/2015 registered with Manikpur Police Station, District Palghar on his furnishing PR bond of Rs.25,000/- with one or two solvent local sureties in the like amount.

b) After his release from Jail the applicant shall attend the Investigating officer on first Monday of every

month between 10.00 a.m. to 12.00 noon till the completion of investigation.

- c) The applicant shall not tamper with the evidence and or influence the prosecution witnesses.
- d) Application is allowed in the aforesaid terms.

(A.S. GADKARI, J.)