

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 3422 OF 2017

Sahadev s/o Haribhau Gaikwad, ... **Applicant.**
Age 36 years, Occ. Nil, R/o.
Govind Nagar, Dhanora Road, Beed
Tq. & Dist. Beed.

V E R S U S

- 1 The State of Maharashtra. ... **Respondents.**
Through Police Station, Peth
Beed, Beed Tq. & Dist. Beed.
- 2 Superintendent of Police,
District Beed.

Mr.M.D. Narwadkar, learned Advocate for the Applicant.
Mr. A.S. Shinde, A.P.P. for the respondents/State

CORAM : K.L. WADANE, J.
DATE : 24th July, 2017

ORDER :

1. Heard Mr. Narwadkar, learned counsel
appearing for the applicant and Mr. Shinde, learned
APP appearing for the respondents/state.

2. Informant Laxman Thorat lodged complaint to
the Peth Beed police station on 25.05.2017 against
applicant and others. It is alleged by the informant
that, he is a B.A. student studying in Pimpalner

College. On 15.05.2011 applicant came to his house for collection of the documents for the purpose of admission at Gavrai Dist. Beed saying that, a new college is opened there. He collected the documents i.e. passing certificate of 10th and 12th standard, leaving certificate, identity card, caste certificate, etc. However, the informant has not taken admission in any educational school. Subsequently, he learnt from the news paper that some bogus admissions were taken in the educational institute to grab scholarship amount. On the basis of the information given by the informant offence came to be registered against the applicant at Crime no. 177/2017 for the offences punishable under section 420, 406, 409 read with section 34 of the Indian Penal Code.

3. The allegations against the present applicant are that he was instrumental in taking admission on the fake name and thereby he used to grab the amount of scholarship. Learned APP submits that, reply is awaited from the Social Welfare Officer about the mode and manner in which the amount of scholarship is to be paid. Normally, such amount of scholarship has to be

paid to the concerned students through bank account. Furthermore, the alleged documents are in the custody of the Educational Institution i.e. Career Institute of Computer Science and Information Technology at Madalmohi, District Beed. The investigating officer can collect such documents. For that purpose the custodial interrogation of the applicant is not necessary.

4. Looking to the nature of the allegations, I am of the opinion that, the applicant can be protected from his arrest by putting certain conditions. Hence, following order.

O R D E R.

(1) Application is allowed.

(2) In the event of arrest of the applicant in connection with Crime No.177 of 2017, registered with Peth Beed Police station, District Beed, he be released on bail on his furnishing P.R. bond of Rs. 10,000/- (Rupees ten thousand only), with one surety in the like amount.

(3) The applicant shall give his specimen signature and handwriting, if required by the investigating officer.

5. Criminal Application is disposed-of.

(K.L. WADANE, J.)

mkd/-