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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

ANTICIPATORY BAIL APPLICATION NO. 2179 OF 2016

Chirag Jayesh Shah	.. Applicant
Vs.	
The State of Maharashtra	.. Respondent

Mr. Amol Joshi a/w. Mr. Vinod Rane i/b Ms. Rane & Co. for the Applicant.
Mr. R. M. Pethe, APP for the Respondent-State.

CORAM : A.S. GADKARI, J.
DATE : 12th APRIL, 2017.

P. C. :

1. In pursuance of order dated 29.03.2017, Sudarshan D. Patil, Investigating Officer has filed an affidavit dated 11.04.2017. The same is taken on record. It is the allegation against applicant that to procure an admission in Sydenham Institute of Management Studies and Research and Entrepreneurship Education, Churchgate, Mumbai for the course of MMS he submitted bogus caste validity certificate. It appears from the record that after the management of Sydenham College was informed by the Technical Education Department, Maharashtra State that some students have procured admissions in their college by submitting bogus caste validity certificate, the management of the said college after due scrutiny has cancelled the admissions of the said students. The record further reveals that the applicant has already been interrogated by the Investigating Officer.

2. This Court by orders dated 23.11.2011 and 25.11.2016 has granted pre-arrest bail to three other co-accused persons who are similarly situated like the applicant.

3. After taking into consideration the nature of the allegations against the applicant and having regard to the fact that the applicant was available for investigation and for the purpose of prosecution, the custodial interrogation of the applicant is not necessary.

Hence, the following order:

- (i) In the event of arrest in C. R. No. 239 of 2016 registered with Marine Drive Police Station, Mumbai, the applicant be released on furnishing P.R. Bond of Rs.1,00,000/- with one or two solvent local sureties in the like amount.
- (ii) The applicant shall attend the Investigating Officer as and when called for between 11.00 a.m. to 1.00 p.m. till the submission of the charge-sheet. It is needless to mentioned that before calling the applicant to police station, the Investigating Officer shall issue a notice under Section 160 of the Code of Criminal Procedure thereby specifying the date and time as mentioned hereinabove.
- (ii) The application is allowed in the aforesaid terms.

[A. S. GADKARI, J.]