

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

CRIMINAL BAIL APPLICATION NO. 2775 OF 2022

Bharat Laxman Adakmol	...Applicant
Versus	
State of Maharashtra	Respondents

....

Mr. Vikramsingh Parmar, Advocate for the Applicant.

Mr. N.B. Patil, APP for the Respondent – State.

Mr. Narayan Shirgaonkar, ACP, Crime Branch Pune.

CORAM	:	PRAKASH D. NAIK, J.
DATE	:	14th OCTOBER, 2022.

PER COURT:

1. The applicant is arrested in C.R. No.83 of 2021 registered with Wanavadi Police Station for offences punishable under Sections 420, 409, 120-B r/w 34 of Indian Penal Code and Sections 7, 12 and 13 of Prevention of Corruption Act, Section 66-C of Information and Technology Act and Sections 6 and 7 of Maharashtra Prevention of Malpractices at University Board and other Specified Examination Act.

2. On 28th February, 2021 the written examination for recruitment in Army under the recruitment drive 'Relation Army' was to be held. On the previous night an intimation was received from Military Intelligence, Southern Command, Ghorpadi, Pune that question paper for the said examination was leaked and Kishor

Giri, the accused No.1, was supplying the question papers and answer keys to the candidates by obtaining wrongful gain. A raid was conducted at the house of the accused No.1 Kishor Giri. He was apprehended along with mobilephone handsets which contained several question papers in English and Hindi, answer keys thereto and other material. It further transpired that accused No.1 Kishor Giri had circulated those question papers and answer keys to co-accused Kumar Pardeshi, Yogesh Gosavi and Madhav Gite.

3. Eventually, during the course of investigation, it transpired that the accused No.1 Kishor giri had received those question papers and answer keys from the persons who were privy to the recruitment process. Colonel Bhagatsingh Bedi was the custodian of the said question papers. He had forwarded the same on Whatsapp to Veera Narnepati. The accused Veera forwarded it to Narshimha Rao, from whom it was transmitted to the co-accused M. Pavan Kumar who, in turn, transmitted the same to Vasant Kilari. Accused Vasant transmitted the same on the cell phone of Thiru Thangvelu. The latter transmitted it to Bharat Adakmol (applicant) from whom it came to be forwarded to accused No.1 Kishor Giri, who forwarded the same to other co-accused and the

candidates.

4. The accused Veera Narnepati was working as a Store Keeper in Central Ordinance Depot. He has since retired. The Accused Thiru Thangvelu is serving as a Major in the Army. The Accused Vasant Kilari is also a defense personnel.

5. The investigation further revealed that the accused had collected the original certificates of the candidates to whom the question paper and answer key were transmitted so as to obtain undue advantage.

6. The applicant had allegedly transmitted the papers to Kishor Giri. Kishor Giri has been granted bail by this Court vide order dated 4th January, 2022 passed in Bail Application No. 3056 of 2021.

7. Learned APP submitted that role has been attributed to the applicant. The offence is of serious nature.

8. It is pertinent to note that the applicant is in custody. Investigation is completed and charge-sheet is filed. The co-accused Thiru Thangvelu, Vasant Kilari, Veera Narnepati and Kishor Giri are granted bail by this Court. The allegation against the applicant are on par with the co-accused. Hence, the case of grant of bail made out.

ORDER

- i. Criminal Bail Application No. 2775 of 2022 is allowed;
- ii. The applicant be released on bail in connection with C.R. No.83 of 2021 registered with Wanawadi Police Station, Pune on furnishing P.R. Bond in the sum of Rs.30,000/- with one or two sureties in the like amount, to the satisfaction of the learned Sessions Judge.
- iii. The applicant shall not tamper with the prosecution evidence and/or give threat or inducement to any of the prosecution witnesses.
- iv. The applicant shall furnish permanent address and contact details to the Inspector of Police, Wanawadi Police Station, Pune within a period of one week of release from prison.
- v. The applicant shall mark their presence at Wanawadi Police Station once in six months i.e. first Monday of January and July in between 10:00 a.m. to 1:00 p.m. for a period of three years or till conclusion of the trial, whichever is earlier.
- vi. The applicant shall not leave the country without prior permission of the jurisdictional Court.

vii. The applicant shall regularly attend the proceedings before the jurisdictional Court.

viii. By way of abundant caution, it is clarified that the observations made hererinabove are confined to the consideration of the entitlement for bail and they may not be construed as an expression of opinion on the guilt or otherwise of the applicant and the co-accused.

ix. All concerned to act on an authenticated copy of this order.

x. Application stands disposed off.

(PRAKASH D. NAIK, J.)