



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO. 1159 OF 2025

Vipul Vishwas Tiwalkar

VERSUS

The State Of Maharashtra And Another

- Mr. S. D. Gawate, Advocate for the Applicant
- Mrs. M. L. Sangit, APP for the Respondents/State

CORAM : ADVAIT M. SETHNA, J

DATE : 10 JULY 2025

P.C.:

1. This Application is listed for the first time today.

2. **Issue Notice** to the Respondents. Mrs. Sangit, learned APP, waives service of notice on behalf of Respondents/State.

3. The proceedings relate to Crime No. 0162/2025. The first information report ("FIR") is lodged on 07 June 2025 at 20.02 hours by the Jinsi Police Station, Chhatrapati Sambhajanagar. The alleged offences are under Sections 3(5) and 318(2) of the Bharatiya Nyaya Sanhita, 2023, Section 7 of the Maharashtra Prevention of Malpractices at University, Board and other

Specified Examinations Act, 1982 & Sections 3(iv)(v) (viii), 4 and 10 of the Public Examinations (Prevention of Unfair Means) Act, 2024. The incident has occurred on 06 June 2025.

4. Heard the learned Advocates for the parties.

5. From the perusal of the FIR, it appear that the Applicant had appeared for the examination conducted for the post of Senior Assistant Accountant by the Indian Aircraft Authority. During examination, an Computer No.C039 was allotted to him. Applicant complained that the computer is not working. Therefore, another Computer No.C026 was again allotted to him. Once again the Applicant complained that the said computer is also not working. Therefore, third Computer No. C060 was allotted to him. During the change of the computer, the IT Manager gave message on server that the Applicant is giving answer of the question very fast and therefore, the Informant suspected the Applicant. On enquiry, the Applicant started giving evasive answers. Then after some time the Applicant let the examination center. At the same time, trans-meter device was fallen on the ground from the pocket of the

Applicant. In such circumstances, the report was filed and FIR was lodged.

6. It is not disputed that the Applicant is a student of 25 years who is currently pursuing his further studies. The contents of the FIR do reveal that the Applicant was seem to have engaged in unfair means/practice on the examination center by carrying device in the nature of trans-meter, which was subsequently discovered. At this stage, Mrs. Sangit, learned APP, would submit that the said trans-meter, which was used by the Applicant at the examination center, has also been recovered from the spot.

7. It is not disputed that the Applicant does not have any criminal antecedents. It appears that the matter does require further consideration. However, considering the totality of the facts and circumstances as also that the Applicant is a student pursuing his education, he needs to be protected at this stage of the proceedings by passing following orders:

O R D E R

- (i) Until adjourned date of hearing, in the event of arrest of the applicant in connection with

C.R. No. 0162/2025 registered with Jinsi Police Station, Chhatrapati Sambhajinagar for the offences punishable under Sections 3(5) and 318(2) of the Bharatiya Nyaya Sanhita, 2023 and Section 7 of the Maharashtra Prevention of Malpractices at University, Board and other Specified Examinations Act, 1982 & Sections 3(iv)(v)(viii), 4 and 10 of the Public Examinations (Prevention of Unfair Means) Act, 2024, the applicant is directed to be released on bail on their furnishing PR bond in the sum of Rs. 15,000 (Rupees Fifteen Thousand Only) with one or more sureties in the like amount.

- (ii) The Applicant shall cooperate with the investigation and shall attend the concerned police station on every Saturday at 11.30 a.m.
- (iii) The Applicant shall furnish details of residential address and other contact details such as mobile number etc. to the concerned police station. If there is any change in the contact details, the same shall be immediately intimated to the concerned police station.
- (iv) The Applicant shall not leave the jurisdiction of the Court without prior permission/order of the Court, until further orders.
- (v) The Applicant shall not influence the witness/es and/or tamper evidence in any manner whatsoever.

8. Learned APP to communicate this order

forthwith to concerned police station.

9. The protection granted to the Applicant by this order shall continue until the adjourned date of hearing.

10. Place the present application for further consideration on 31 July 2025.

(ADVAIT M. SETHNA, J.)