



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL APPLICATION (ABA) NO.211 OF 2026

Muzammil Ali Maksud Ali Vs. State of Maharashtra

AND

CRIMINAL APPLICATION (ABA) NO.220 OF 2026

Sushilkumar Dadarao Abhyankar Vs. State of Maharashtra

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

Ms Shreya Bhagat, Adv. h/f Shri P.R. Agrawal, Advocate for applicant in
ABA 211/2026.

Shri A.M. Chandekar, Advocate for applicant in ABA 220/2026.

Ms D.V. Sapkal, APP for respondent/State.

CORAM : RAJNISH R. VYAS, J.

DATE : 16.04.2026.

1. Heard learned counsels for the respective parties.
2. Apprehending arrest in connection with No.95/2026 dated 01.03.2026 registered with Police Station, Anjangaon, District Amravati for the offences punishable under Sections 316(5), 318(3), 318(4), 61(2)(a) of the Bhartiya Nyaya Sanhita, 2023 and Section 5, 7 and 8 of the Maharashtra Prevention of Malpractices at University, Board and other specified Examinations Act, 1982 the applicants have approached this Court.
3. In ABA No.211/2026 applicant is one Muzammil Ali Maksud Ali, who was not named in the First Information Report.

4. In ABA No.220/2026 applicant is one Sushilkumar Dadarao Abhyankar, who is shown as accused no.2 in First Information Report.

5. Applicant in ABA No.211/2026 is the father of a student who has appeared for 10th standard examination more particularly for English subject. The applicant in ABA No.220/2026 is Deputy Invigilator.

6. In short, it is the case of the prosecution in First Information Report No.95/2026 dated 01.03.2026 registered with Police Station, Anjangaon, District Amravati for the offences punishable under Sections 316(5), 318(3), 318(4), 61(2)(a) of the Bhartiya Nyaya Sanhita, 2023 and Section 5, 7 and 8 of the Maharashtra Prevention of Malpractices at University, Board and other specified Examinations Act, 1982, that examination of 10th standard was conducted by the Maharashtra State Secondary and Higher Secondary Board and Distribution Centre-28 was established at Sitadevi High School of which accused no.2- Sushilkumar was posted as a Deputy Invigilator on the Centre. On 27.02.2026, there was paper of English subject for different faculties i.e. Marathi, Urdu and English. The answer-sheets were distributed from Distribution Centre-28 to different centres. After the completion of examination, the solved answer-sheets were forwarded by respective centre to the Distribution Centre-28.

7. On 27.02.2026, the Distribution Centre was visited by the Flying Squad in which it was noticed that out of 431 answer-sheets only 430 were found at Distribution Centre from Urdu medium and from English medium 442 out of 443 answer-sheets were found. Thus, according to the prosecution, two answer-sheets were missing. It was alleged that when the member of Flying Squad were carrying out the procedure one Anil Hadole /Hamal was found in suspicious condition and on conducting the search two answer-sheets were found on his person. It is this narration of fact which triggered registration of First Information Report.

8. The learned counsels for the applicants submitted that they are not all involved in the crime and the answer-sheets were found from Anil Hadole/accused no.3. According to applicant-Sushil, the allegations in First Information Report qua him will at the most invite the departmental enquiry but would not be enough to register First Information Report. Applicant in ABA No.211/2026 is a father of student who has stated that there is absolutely no material to show that it was the son of the present applicant who had solved the answer-sheets which was found with accused no.3. Both of them have contended that as per order dated 24.03.2026 passed by this Court, interim anticipatory bail was granted and they were protected. The applicants further contended that they have attended the police station and have cooperated the investigating agency.

9. *Per contra*, the learned APP has contended that all the accused persons are equally responsible and by hatching a conspiracy they have committed mal practices. According to her, accused no.3 was infact acting at the behest of the accused no.2-Sushil in order to provide help to applicant in ABA No.211/2026. She further contended that though called upon the applicant – Sushil has not surrendered his mobile to the custody of the investigating officer.

10. The learned counsel for the applicant – Sushil on instructions has made a statement that the applicant will surrender the mobile to the investigating officer within one week from today. The said statement is accepted as undertaking to the Court.

11. So far as allegations in the First Information Report are concerned, it is stated that when the Flying Squad has visited the Distribution Centre two answer-sheets were found missing. The said two answer-sheets were found with original accused no.3.

12. It is contended by the respective counsels that the original accused no.3 was arrested and released on bail. So far as original accused no.1 is concerned, he was also arrested and released on bail. Applicant-Sushil was working as Joint Invigilator with the said centre. Whereas, the applicant in ABA No.211/2026 was shown as father of the student. Nothing has been brought on record to show

whether those answer-sheets were written either at the instance of the accused nos.2 and 3 or somebody else. Prima facie the case is based upon the documentary evidence which material is already seized. It cannot be ignored that the applicants have attended the police station and have cooperated with the investigating agency. The statement of the learned counsel for the applicant in ABA No.220/2026 that applicant-Sushil will surrender the mobile phone is already recorded and accepted as an undertaking to the Court. In that view of the matter, custodial interrogation of the present applicants is not required and therefore, the following order is passed:

ORDER

- (i) The applications are allowed and disposed of.
- (ii) In the event of arrest in connection with Crime No. No.95/2026 dated 01.03.2026 registered with Police Station, Anjangaon, District Amravati for the offences punishable under Sections 316(5), 318(3), 318(4), 61(2)(a) of the Bhartiya Nyaya Sanhita, 2023 and Section 5, 7 and 8 of the Maharashtra Prevention of Malpractices at University, Board and other specified Examinations Act, 1982, applicants – **Muzammil Ali Maksud Ali** and **Sushilkumar Dadarao Abhyankar** shall be released on bail on furnishing a PR bond of ₹55,000/- [Rupees Fifty Five Thousand only] each with one solvent surety each in the like amount.

(iii) The applicants shall attend the concerned Police Station on 22nd, 23rd and 24th April 2026 between 02.00 pm to 03.00 pm.

(iv) The applicants shall cooperate with the investigating agency and shall not tamper with the prosecution evidence or influence the witnesses directly or indirectly.

(v) The applicants shall not leave India without prior permission of this Court.

(Rajnish R. Vyas, J.)

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