

Riyaj Ahamad Abdul Rashid Vs. State**Order below Exh.01****Cri. Bail Application No. 1338/2023****(Dated 26th April 2024)**

Applicant is seeking anticipatory bail U/s. 438 of the Code of Criminal Procedure, by this application. Applicant is apprehending of arrest in Cr. No. 56/2021 registered with Pune City Cyber police station Police Station against him for the offences punishable U/Ss. 406, 409, 420, 465, 467, 468, 201, R/w. 34, 120B of the IPC; 66-D of the I.T. Act and U/ss. 7 and 8 of The Maharashtra Prevention of Malpractices at University, Board and Other Specified Examinations Act.

02 FIR is prima facie disclosing that, there is allegation against the applicant that he along with co-accused has prepared false results by doing forgery in answer papers and marks obtained by students in Examinations of G.A. Software. They have wrongfully obtained amount of Rs.4,20,00,000/- from approximately 800 students appearing for such examination and prepared false results. They have thereby cheated students as well as committed breach of trust in government work. The applicant along with co-accused have committed this act as they were teacher and technician and having control over relevant websites of Government.

03 Learned APP and Investigating Officer have resisted the application with contentions that considering nature of offence, applicant should not be released on anticipatory bail. In fact, charge sheet is filed on record on 18.12.2022. Hence, they are not entitled for anticipatory bail.

04 It appears that present application is filed after filing of charge sheet before competent court. He is protected by interim order granted by Hon'ble High Court of Bombay. Now considering nature of the offence and the fact that charge sheet is filed, applicant is not entitled for anticipatory bail. He can appear before Competent Court and avail necessary remedy. Hence, the application deserves to be rejected with following order :-

ORDER

Application (Exh. 01) is rejected.

(S.B. Rathod)

Date :26.08.2024

Additional Sessions Judge, Pune.

I affirm that the contents of this P.D.F. file order are same word for word as per original order.

Name of Steno.	:-	S. P. Chabukswar
Court Name	:-	S. B. Rathod.
		Additional Sessions Judge, Pune
Date	:-	26.08.2024
order signed by P.O. on	:-	26.08.2024
order uploaded on	:-	26.08.2024