

IN THE COURT OF ADDITIONAL SESSIONS JUDGE, WASHIM*(Presided over by M. S. Sahastrabudhe)***CRIMINAL BAIL APPLICATION NO. 91/2026****CNR No. MHWS0100030772026**

Applicant : Aditya Sanjay Jadhav
Aged about 25 Yrs, Occup. Teacher
R/o. Bhagvati
Tq. Sengaon Dist.Hingoli

- Vs.-

Non-applicant : State of Maharashtra,
Through Police Station Officer,
Washim-Gramin, Tq. Dist.Washim.

Application under Section 482 of B.N.S.S.2023 for anticipatory bail.**ORDER BELOW EXHIBIT NO. 1***(Passed on 27th day of March 2026)*

The present application is filed by the applicant under Section 482 of B.N.S.S. in crime No.148/2026 of Washim-Gramin Police Station registered for the offence punishable under Section 7, 8 of the Maharashtra Prevention of Malpractices at University, Board and other specified Examinations Act, 1982 and Section 3 (5) of BNS, 2023.

2. In brief, it is the contention of the applicant that FIR is registered against them by informant who is Block Education Officer panchayat Samiti Washim alleging that the applicant Nos.1 to 4 were

Invigilators for the HSC Examination conducted at Mainagiri Maharaj Junior College, Toe Jumada Tq. and Dist. Washim. The said college was the center for H.S.C. examination. On 16/02/2026, 581 students had appeared for the examination of physics subject. When the Flying Squad visited the center they found that the students were doing mass/collective copy. When the squad inspected papers of the students they found that most of the students have written similar answers. Three students were found who have marked the answers on their question papers. When the CEO had inspected the CCTV footage he was satisfied from the body language of the students that they were copying. One Lab. Assistant who was not the Invigilator and was not having responsibility of conducting the examination was also found inside the center. He was roaming in all the class rooms with his mobile phone. When the inspection squad demanded his phone from him, initially he avoided to give the same to them. However, when the threat of criminal action was given, he handed over his phone to squad.

3. It is the contention of the applicants that applicant No.1 to 4 are Assistant Teachers serving at Mainagiri Maharaj Junior College, Toe Jumada Tq. and Dist. Washim. None of them is having criminal antecedents. All of them are law abiding citizens. Nearly 581 students had appeared for the examination and their seating arrangement was in different rooms. General and ambiguous allegations are made against the applicants. The offence with which the applicants are charged is punishable with less than 7 years and the applicants are ready to cooperate the investigation and to abide by any conditions that would be imposed by the Court. Some of the teachers and lab. Assistant are already granted bail by this court. Hence, they have

prayed that their application for grant of anticipatory bail be allowed.

4. The said application is strongly opposed by Ld. A.PP and I.O. by filing say below Exh.05. It is their contentions that the offences leveled against the applicants are non bailable and serious in nature. The name of the applicants is mentioned in the FIR. The applicants have helped the students to do mass/collective copy. Investigation is in progress as to how they have facilitated the mass/collective copy in their center. There is possibility that the applicants might abscond or tamper with the prosecution evidence and might pressurise the prosecution witnesses.

5. Heard ld. advocate for the applicants and ld. APP at length. The ld. advocate for the applicants has argued in accordance in his contention in the application and has further submitted that the offences leveled against the applicants are punishable with maximum punishment of 6 months. The allegations against the applicants are that they have abetted the offence of commission of mass copy by the students. Till date no action has been taken by the Board against the students. When no action is taken against the students, the offence of abetment is not made out against the applicants. Hence their application be considered. On the other hand, the ld. APP has argued that the offences are of serious nature and affecting the education system. The investigation is in progress and hence the application needs to be rejected.

6. Considering submissions of both the sides, so also on perusal of the record and case diary, it appears that the FIR is given against the applicants by their name as they were Invigilators in the center where mass copy were found to be done by the students.

However, it is the contention of the prosecution that the necessary evidence i.e. pen drive etc have already been seized by the Examinations Squad. It is not the contention of the prosecution that till date any action has been taken against the students, who were found copying the answers, by the Board. Nothing is mentioned in the FIR as to answer papers of how many students were checked and how their answers were similar. As the students were writing answers for the same question paper their answers were bound to be similar to some extent. The abnormal similarity found in the answers of the students is not clarified. So also it is not clarified as to how many students were found to have written similar answers. Similarly out of 581 students only 3 students were found to have encircled the answers on the question papers. It is not the case of the prosecution that the students who have written similar answers or were engaged in malpractice were in examination hall of the applicants. In the said circumstance the allegations against the applicants do not appear to be specific. It is not the case of the prosecution that the applicants are having previous criminal antecedents. Similarly from the say of I.O. it appears that nothing is to be recovered from the possession of the applicants and their custodial interrogation does not appear to be necessary. The applicants are having the fixed place of residence within the jurisdiction of this Court and necessary conditions can be imposed for directing them to co- operate in the investigation. Hence, I pass following order :-

ORDER

1. Application for anticipatory bail is allowed.
2. In the event of arrest, applicant namely **Aditya Sanjay Jadhav** be released on anticipatory bail on their executing PB and SB of

Rs.50,000/- (Rs. Fifty thousand only) with surety in the like amount, in crime No.148/2026 for offence punishable under Sections 7, 8 of the Maharashtra Prevention of Malpractices at University, Board and other specified Examinations Act, 1982 and Section 3 (5) of BNS, 2023 registered with Police Station Washim-Gramin on the following conditions:-

- i) The applicant shall attend police station Washim-Gramin as and when called by the Investigating Officer and co-operate with the investigation.
- ii) He shall not tamper with the prosecution evidence either by himself or through anybody.
- iii) He will not contact with the prosecution witnesses, either himself or through anybody.

3. Inform concerned police station accordingly.

Place : Washim
Date : 27/03/2026.

(M. S. Sahastrabudhe)
Addl. Sessions Judge, Washim.

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Crim. Bail. Appln. No.91/2026

CERTIFICATE

I affirm that the contents of this P.D.F. file Judgment/Order are same word to word, as per the original order :-

Name of the Stenographer	:- Nitin B. Khandare, Stenographer (Grade-1)
Court Name	:- District Judge-3 & Additional Sessions Judge, Washim
Date	:- 27/03/2026
Order signed by the Presiding Officer on	:- 27/03/2026
Order uploaded on	:- 01/04/2026