



UPMA010030742026

In the Court of Sessions Judge, Mau.

Present:Sanjay Kumar Yadav-III, H.J.S.

Judicial Officer Code no.UP2023

Bail Application no. 1009 of 2026

Awanish Pandey

--Accused-applicant

Versus

State of U.P.

--Opposite party

ORDER

1. Present application for bail has been moved on behalf of accused applicant Awanish Pandey involved in case crime no. 0034 of 2026, for the offences punishable under Sections 420, 467, 468, 471 of the Indian Penal Code, within the territorial jurisdiction of Police Station Kotwali Nagar, District Mau.
2. The brief facts of the case as per prosecution case are that informant Rakesh Kumar Yadav met co-accused Awanish Pandey, who is said to be manager of Surya School of Nursing and Para-medical Science for D-Pharma course and on his assurance, informant came to the college and met with the accused applicant, who is said to be principal of the nursing college, who told to give Rs. 2,10,000 for two years course and in instalment, Rs. 60,000/- were deposited cash at the counter of the college. His documents were taken, thereby informant took admission for D-Pharma Course in the year 2015. During period of studying, Rs.2,35,000/- were taken as fees; some of the receipts were given to him and most of them were not given. For giving some receipts Mayank Tiwari and Awanish Tiwai kept postponing it by saying today and tomorrow. Lastly, they did not give remaining receipts. Informant completed his course in the year 2017. Informant was given mark sheet and certificate in the year 2018 by the accused persons stating that after certificate of D-Pharma Course, in Lucknow, registration is essential, for which Rs. 50,000/- are said to be paid, thereafter, informant paid Rs.50,000/- along with all the original documents to them. On repeated enquiry by the informant with both the accused persons namely Mayank Tiwari and Awanish Pandey, they were pretending. Later on, by the Pharmacy Council of India, Lucknow, informant was told that certificates of D-Pharma issued by Surya School of Nursing and Para-Medical Science, are fake and forged, which were prepared by accused persons Mayank Tiwari and Awanish Pandey. Thus, by committing fraud, the accused persons have usurped his rupees, issuing fake and forged certificates. Informant also came to know that Uttar Pradesh Pharmacy Council has lodged FIR on

30.01.2021 at Police Station Ghazipur(Lucknow North) in case crime no. 0079/2021 against 136 accused persons.

3. The learned counsel for the accused applicant submits that accused applicant is innocent and he has been falsely implicated in this case. He has not committed such offence as alleged against him. Despite it, informant lodged above FIR against him suppressing the real facts on the order of Magistrate. No specific role has been assigned to him. No competent or independent witness is cited to the incident. There is no evidence either oral or documentary against the accused applicant. Offence punishable under Sections 420, 467, 468, 471 of the Indian Penal Code are not made out against him. The FIR has been registered very late. The accused applicant has been detained in jail since 14.02.2026. The offence is triable by Ist. Class Magistrate.
4. The learned I/c. District Government Counsel (Crl.) submits that accused applicant is manager of the disputed college, while co-accused Mayank Tiwari is principal of above institute of Surya School of Nursing and Para-medical Science and this institute is not registered institute. The accused persons took rupees from several students of D-Pharma Course and they played with their future issuing fake and forged nursing certificates. Accused applicant and co-accused Mayank Tiwari are also running several fake and forged colleges and they issued several nursing certificates to the students taking money from them. Informant of this case, also became hunting of the accused persons. Several cases have been registered against them. The accused applicant has committed grave offence. He prayed for rejection of bail.
5. It is allegation on the accused applicant that accused applicant is manager and co-accused Mayank Tiwari is principal of Surya School of Nursing and Para-medical Science for D-Pharma course. Accused applicant and co-accused Mayank Tiwari took Rs.2,85,000/- from the informant for D-Pharma Course for two years and certificates issued by them are found to be fake and forged. Several cases have also been found to be registered against the accused applicant and co-accused Mayank Tiwari with regard to issuance of fake and forged D-Pharma Certificates. It is said that institute of the accused applicant is not registered and fake certificates were issued to the students by this institute. Considering the facts and circumstances of the case, active role assigned to the accused applicant along with FIRs have been registered against him with regard to the same footing and gravity of the offence, without expressing opinion on merits of the case, this Court does not find it a fit case for bail.
6. Hence, the application for bail moved by the accused applicant Awanish Pandey is ,hereby, dismissed.

(Sanjay Kumar Yadav-III)

Sessions Judge,
Mau.

Dated: June 10, 2026

Typed by-Anil Kumar Srivastava, P.A.