

**IN THE COURT OF SH. AJAY GUPTA,
SPECIAL JUDGE, (PC ACT), CBI-15,
ROUSE AVENUE DISTRICT COURT NEW DELHI**

**Bail Matter – 189 /2026
CNR No. DLCT11-000755-2026
CBI vs. Yash Yadav & Ors.
(Bail app. Of accused Dr. Manoj Bhagwanrao Shirure)**

CASE NO.RC2212026E0010 dated 12.05.2026

**U/s 316(5)/ 318(4)/ 61 (2)/ 238/ 303 (2) of BNS 2023 &
Section 13(2) r/w 13(1)(a) of PC Act 1988 (as amended in 2018) and
Section 10 r/w Sec.3, 4, 5 and Section 11 of the Public Examinations
(Prevention of Unfair Means) Act 2024**

PS: EO-III/ New Delhi.

24.07.2026

**Present:- Sh. Neetu Singh, Ld. Sr. PP for CBI.
Accused has been produced in JC (through VC).
Mr. Kumar Vaibhaw and Mr. Vineet George, Ld. Counsels
for accused (both through VC).**

ORDER

1. Vide this order, the application under Section 480 read with Section 483 of BNSS 2023 moved on behalf of applicant/ accused Dr. Manoj Bhagwanrao Shirure, seeking regular bail is being disposed off.
2. A detailed reply on behalf of CBI has been filed on record. Copy has been supplied to Ld. Counsel for the accused.
3. Arguments addressed by both sides have already been heard. Record Perused.
4. Ld. Counsel for the accused has submitted that the accused has been arrested in the present case on 26.05.2026 whereafter he was

remanded to police custody and as on date, he is running in Judicial Custody since 01.06.2026.

4.1. Ld. Counsel has submitted that the accused is a well-qualified doctor by profession, specializing as a Pediatrician; that he ordinarily resides in Latur with his family including his wife, daughter and minor son; that he is the owner of a hospital in Latur, Maharashtra by the name of Siddhivinayak Hospital; that he is working as a reputed professional in Latur over more than two decades and that he had been appointed as the President of Keshavraaj, Renaissance School, Latur.

4.2. Ld. Counsel has further submitted that the accused was contacted by CBI in connection with investigation of the present case; consequently, he appeared five times in CBI offices i.e. Latur (19.05.2026), Pune (20.05.2026 & 21.05.2026) and Delhi (26.05.2026) where he was interrogated by CBI officials; that CBI also conducted searches at his hospital, his residence and the residence of his sister on 19.05.2026 & 20.05.2026, for which accused fully cooperated with CBI, however, despite such cooperation, the accused was arrested on 26.05.2026 at the Head Office of EO-II, CBI, New Delhi when he appeared there at the request of CBI.

4.3. Ld. Counsel, while mentioning the Grounds of Arrest, has submitted that the alleged role of the present accused is regarding dissemination/ facilitation and he is not a prime conspirator. The said allegations are subject to determination at an appropriate stage. Ld. Counsel has further submitted that admittedly, the investigation qua the accused is complete as the Investigating agency is not seeking to interrogate the accused further, thus, his continued custody serves no investigative objective.

4.4. Ld. Counsel has argued that the allegation against the accused about his involvement in referring doctors to co-accused P.V. Kulkarni for getting the leaked questions, is false and baseless; that CBI has failed to show that the accused had dominion over the leaked question papers; that during searches, no question papers were recovered from him, from his electronic devices, his house or from his hospital; that CBI has failed to link Rs.5 Lacs with the accused, recovered from his sister's house; that since, DVR of the hospital, recovered amount of Rs.5 Lacs and every other seized articles/ documents, are already in the possession of CBI, there is no question of tampering with evidence by the accused.

4.5. Ld. Counsel has argued that though CBI had sought police custody remand of the accused for taking him to other jurisdictions for the purpose of investigation allegedly to recover/ analyse digital devices to unearth the larger conspiracy yet the accused was never taken by CBI to any place for such recovery and further no such application was moved during the JC remand of the accused. Ld. Counsel for the accused has argued that the accused has been falsely implicated in the present case and the material relied against the applicant is statements of co-accused persons and the recoveries, which are inadmissible, thus, continued incarceration of accused amounts to the violation of his right under Article 21 of the Constitution and there exists no basis for retaining him in custody.

4.6. Ld. Counsel has further submitted that accused is about 49 years old; has no previous criminal antecedents; he has already spent more than 50 days in judicial custody; his wife and children are substantially

financially dependent upon him and that his continued incarceration causes significant hardship to them. It is, thus, prayed that accused be released on bail for which he undertakes to abide by the terms & conditions, imposed by the Court.

4.7. In support of his arguments, Ld. Counsel has relied upon the case law in the cases of *P. Chidambaram vs. Directorate of Enforcement* (2020) 13 SCC 791, *Arnab Manoranjan Goswami vs. State of Maharashtra & Ors.* (2021) 2 SCC 427, *Prabhakar Tewari vs. State of Uttar Pradesh & Anr.* (2020) 11 SCC 648, *Yudhveer Singh Yadav vs. Central Bureau of Investigation* (2024) SCC OnLine Del 7070, *Kavi Arora vs. State* (2023) SCC OnLine Del 3483, *Santosh s/o Dwarkadas vs. State of Maharashtra* (2017) 9 SCC 714 and *P. Krishna Mohan Reddy vs. State of Andhra Pradesh* (2023) SCC OnLine SC 1157.

5. The bail application has been vehemently opposed by the CBI through their detailed reply. Ld. Sr. PP on behalf of CBI has submitted that FIR in the present case was registered on the basis of complaint dated 12.05.2026 wherein it was stated that NEET (UG) 2026 Examination conducted by the National Testing Agency (NTA) on 03.05.2026 was compromised due to the circulation of confidential examination questions in PDF format through WhatsApp prior to examination and during investigation, it was revealed that candidates, institutes, middlemen and other unknown persons were involved in a larger conspiracy relating to paper leak, cheating, criminal breach of trust, theft, destruction of evidence and other examination irregularities.

5.1. Ld. Sr. PP has further submitted that during investigation, several incriminating evidence like documents and digital devices, related to leaked questions of NEET (UG) 2026 Examination were seized and so far 13 accused persons have been arrested who are in judicial custody and that the investigation has reached at a crucial stage.

5.2. It was further submitted that during investigation, it was revealed that the present accused was an active conspirator in the larger conspiracy in facilitating the procurement and dissemination of leaked chemistry questions relating to NEET (UG) 2026 prior to the examination at the instance of co-accused P.V. Kulkarni. Further, the present accused facilitated Aditya Motegaonkar, son of co-accused Shivraj Raghunath Motegaonkar to take the chemistry questions in the hospital of the accused in the third week of April 2026 and that an amount of Rs.5 Lacs obtained by him from the wife of said co-accused, was seized from his sister's house. It was also submitted that the accused had referred two more doctors to co-accused P.V. Kulkarni whose children took chemistry question papers from P.V. Kulkarni against which they paid Rs.3 Lacs each. Thus, by facilitating leaked examination contents to candidates and introduction of other beneficiaries to co-accused, the present accused has played a substantive and indispensable role in the conspiracy. It was further submitted that the hospital premises and position of accused were used to facilitate access to chemistry questions of NEET UG 2026 in April 2026 i.e. prior to the scheduled date of exam.

5.3. It was further submitted that in multi-layered conspiracy affecting a national examination, not only the physical recovery but also the witness protection, prevention of collusion, reconstruction of the chain of dissemination and financial trail analysis are the relevant considerations. The investigation of present matter has reached at a crucial stage where investigation is proceeding through collation of digital evidence, scrutiny of call records, corroboration of statements and tracing of financial statements.

5.4. Ld. Sr. PP has argued that the acts done by the accused as well as other co-accused persons are serious in nature which led to compromise of a public examination for medical admissions which affected fairness, merit and public confidence; that due to local influence, social standing, professional stature and links to prospective witnesses, the accused is in a position to influence the witnesses or tampering with evidence thereby obstructing the course of investigation by inducement/ intimidation of witnesses, alignment of versions and interference with electronic or financial trails and that the pleas taken by the accused in the application are matter of trial which cannot be considered at this stage.

5.5. During the course of arguments, Ld. Sr. PP has submitted that the maximum punishment for the offences is life imprisonment; that the offence has been committed against the public at large and the impact of which is not limited to our country but it has also impacted the NEET aspirants stationed abroad besides affecting the credibility of the Nation; that due to this, several students have committed suicide; that the alleged offence has caused a loss of more than Rs.600

Crores to government exchequer as re-exam had to be conducted and this time, question papers of re-examination of NEET UG 2026 had to be sent to the exam centres through helicopters.

5.6. Ld. Sr. PP has further argued that the commission of alleged offence by the accused stands in graver category as he is literate and moreover, a well qualified doctor, running a hospital; that some of the witnesses examined during investigation, have disclosed that they were referred by the present accused to co-accused P.V. Kulkarni and money was received by him in lieu thereof. Ld. Sr. PP has further argued that wife of accused is also a doctor who is running the hospital smoothly, thus, the ground of financial constraints is baseless.

5.7. Ld. Sr. PP has submitted that the investigation is still at initial stage, collection of evidence and examination of witnesses is ongoing, thus, releasing the accused on bail may lead to tampering / deleting of digital evidence and that with the help of his connections, he may influence or intimidate the witnesses and that he may also assist other co-accused persons to flee or destroy the evidence.

5.8. Ld. Sr. PP further submitted that the seized digital devices need to be sent to CFSL for detailed forensic examination and after ascertaining the outcome of the CFSL/ forensic examination, further investigation needs to be conducted and evidence, if any, needs to be gathered. In support of his arguments, Ld. Sr. PP has relied upon certain case laws i.e. *Nidhi Kaim vs. State of Madhya Pradesh & Ors. 2016 (7) SCC 615, Vedpal vs. The State of NCT of Delhi 2024 SCC OnLine 1905, Judgment dated 02.08.2024, passed by Hon'ble Supreme Court in WP(Civil) No.335/2024, titled Vanshika Yadav vs.*

Union of India & Ors. and Order dated 02.11.2023, passed in CWP 24547/2023 by Punjab & Haryana High Court in case titled Shivam Tanwar & Ors. State of Haryana.

5.9. Therefore, it has been prayed by Ld. Sr. PP that keeping in view the gravity and seriousness of offence, the present bail application may be dismissed.

6. As per record, the present case was registered on the basis of complaint dated 12.05.2026 of Sh. Varun Bhardwaj, Director, Department of Higher Education (NTA Division), Ministry of Education, Government of India, New Delhi, wherein it was alleged that NEET (UG) 2026 Examination conducted by National Testing Agency (NTA) on 03.05.2026 was compromised due to circulation of confidential examination questions in *pdf* format through WhatsApp prior to the examination and that some of the circulated questions matched with the actual examination paper for which a fact finding enquiry was conducted by SOG Rajasthan which confirmed the authenticity of leaked questions due to which the exam was cancelled. It was further alleged that candidates, institutes, middlemen and other unknown persons were involved in a larger conspiracy relating to paper leak, cheating, criminal breach of trust, theft, destruction of evidence and other examination irregularities including possible involvement of public servants and in pursuance of the aforesaid complaint, the FIR in the present matter was registered and after the registration of the FIR, the CBI started investigation in the matter and till date, CBI has arrested 13 accused persons who are presently running in judicial custody.

7. It is pertinent to mention here that previously, while dismissing the bail application of co-accused, the observations, made by Hon'ble Punjab & Haryana High Court in a writ petition, related to the issue of using unfair means by a medical student were mentioned and since, these observations are very relevant and pertinent to the issue in hand, therefore, same are being reproduced again in the present order.

8. In the case of ***CWP-24547-2023 titled Shivam Tanwar & Ors. vs. State of Haryana & Ors. Decided on 02.11.2023***, regarding the adverse effect, on the health of country and society, of using the unfair means by an MBBS Student, the following observations were made by Hon'ble High Court in the aforesaid petition seeking setting aside the order for cancellation of his first year examination result which was cancelled on the allegations of using unfair means during his aforesaid exam.

34. This Court also has to borne in mind that:-

Using unfair means in examinations is not only unethical but also detrimental to the overall development of individuals and the nation as a whole. MBBS students, who are pursuing a career in medicine, are expected to adhere to the highest ethical standards due to the critical nature of their profession. Some reasons, why using unfair means in examinations can hinder their ability to contribute to the nation's well- being can be summed up as under:-

a) Medical professionals are entrusted with the well-being and lives of patients. Using unfair means in examinations demonstrates a lack of integrity and ethical values, which can be a serious concern when making life-or-death decisions in the health care field.

b) The medical field requires a deep and thorough understanding of scientific and medical knowledge. Cheating or using unfair means to pass exams can lead to a lack of competence, potentially endangering the health and lives of patients.

c) Trust is a cornerstone of the doctor-patient relationship. If it

becomes known that a medical professional cheated their way through their education, it can erode the trust that patients and the public have in the health care system.

d) Using unfair means in examinations can have legal consequences, such as getting expelled from the program or facing legal charges. This can hinder one's ability to practice medicine and contribute to the nation's health care system.

e) Ethical and competent doctors contribute to medical research and advancements. Cheating can hinder one's ability to engage in research, which is essential for medical progress.

f) When students use unfair means in examinations, it can negatively influence their peers and create a culture of dishonesty. This can further erode the ethical standards within the medical community.

g) Even if some individuals manage to graduate through unfair means, their lack of competence and ethical standards may catch up with them in their professional careers, leading to disciplinary actions or legal consequences.

The MBBS students, are expected to uphold the highest ethical standards and demonstrate competence and integrity in their work. Using unfair means in examinations not only jeopardizes their own careers but can also have serious consequences for the nation's health care system and the well-being of its citizens. Building a nation's health care infrastructure and ensuring the health and safety of its citizens requires a strong foundation of ethical and competent medical professionals.

Such act especially by MBBS (Bachelor of Medicine, Bachelor of Surgery) students is detrimental not only to the individuals involved but also to society at large. Here are some key reasons why this is at pain and concerned:-

- *Patient Safety: MBBS students are trained to become medical professionals responsible for the health and well-being of individuals. If they resort to cheating or unethical practices during their education, it can compromise their knowledge and skills, ultimately putting patients at risk.*
- *Erosion of Trust: Society places immense trust in health care*

providers. Cheating erodes this trust, as it raises questions about the competence and integrity of future doctors. It can lead to scepticism and apprehension among patients, affecting the doctor-patient relationship.

• Public Health Impact: A poorly trained doctor can make mistakes with serious consequences. Unfair means in medical education can result in substandard doctors entering the workforce, potentially leading to medical errors, misdiagnoses, and inadequate patient care.

• Legal and Ethical Violations: Cheating and unfair means often involve legal and ethical violations. Engaging in such activities can result in legal consequences, disciplinary actions, and damage to one's professional reputation.

Undermining Education Standards: Fair and rigorous assessment is essential to maintain the quality of medical education. Unfair means undermine the integrity of the education system, devaluing the qualifications of those who have studied diligently and harming the reputation of educational institutions.

(Certain portions of the aforesaid observations by Hon'ble P&H High Court have been highlighted as same are also relevant to the issue in hand)

9. It is widely known that the paper leak of NEET (UG) 2026 has severely impacted millions of NEET aspirants in India and abroad. In case, the allegations against the accused persons involved in the present case as presented till date, are taken on their face value then same would prima-facie show that in order to satisfy their greed and to gain illegal wealth, they not only sabotaged the entire process of NEET (UG) 2026 exam which was supposed to be conducted fairly and flawlessly but by their aforesaid illegal acts, they have also brought disrepute to the Nation. Besides, they have also caused huge loss running in several crores of rupees to the Government exchequer.

Further, their abhorrent and illegal acts have also eroded the trust of the honest students in the process of this exam, who prepare for the exam with full zeal and honesty and by burning the mid-night oil, in order to compete with their fellow candidates on the basis of their sheer skill and competence.

10. Reverting back to the bail application in hand, the allegations against the present accused Dr Manoj Bhagwanrao Shirure are of 'facilitating Aditya Motegaonkar (son of co-accused Shivraj Motegaonkar) in taking the chemistry questions of the NEET UG 2026 exam prior to the exam in his hospital in the 3rd week of April 2026 in lieu of which he had received Rs.5 Lacs from the wife of accused Shivraj and the said money is claimed to have been seized from the house of the sister of accused on 21.05.2026 who at the time of seizure informed the CBI officials that the said amount was given to her by the present accused on the night of 20.05.2026. In regard to the aforesaid meeting of accused P.V. Kulkarni and Mr. Aditya Motegaonkar, at the hospital of accused, the statement of witness concerned, who was deputed by the present accused to make arrangement of the said meeting in a deluxe room in the hospital of the accused, has been recorded during investigation.

11. Further allegation against the accused is that he had referred two more doctors to co-accused P.V. Kulkarni for taking chemistry questions for their children in lieu of which they paid Rs.3 Lacs each and that out of the said amount 50% was received by the accused. As per record, the statement of the aforesaid relevant witnesses have been recorded by the CBI during investigation and their further statements

have also been recorded by Ld. ACJM under Section 183 of BNSS (164 CrPC). It is prima-facie clear from the statements of these witnesses that the accused P.V. Kulkarni had provided certain questions to the aforesaid students, out of which, 42 questions had appeared in NEET UG 2026 exam.

12. Thus, it is prima-facie clear from the investigation carried out by the CBI and the incriminating material collected by them till date, that present accused is one of the active conspirators of an organized paper leak gang who allegedly played an active role in leaking the NEET (UG) 2026 exam paper well before the scheduled date of examination i.e. 03.05.2026. The present accused is said to be the part of a larger syndicate which is involved in the aforesaid illegal activities for monetary gain. It is also prima-facie clear that he had not only sourced the candidates for the co-accused persons but he had also received the substantial amount against the same. It is prima-facie clear from the record that he had also made all possible efforts to conceal the amount of Rs.5 Lacs received by him for his aforesaid illegal activities from the co-accused, however, the said amount has been recovered by the CBI during investigation.

13. While dealing with the bail application of an accused in a paper leak case, i.e. ***Bail Appln. 586/2024, titled Vedpal vs. The State of NCT of Delhi***, Hon'ble High Court of Delhi has observed as under :-

“When individuals resort to dishonest means to obtain leaked examination papers or cheat during exams, it not only undermines the merit-based selection process but also erodes public trust in the fair and transparent examination system.

Moreover, cheating in government exams can have far-reaching consequences for society as a whole. It can lead to the recruitment of

incompetent or unqualified individuals in key government positions, which can have detrimental effects on public service delivery, governance, and overall development.

Furthermore, cheating in government exams undermines the principles of meritocracy and equal opportunities, which are essential for fostering social mobility and ensuring fairness in society. It perpetuates inequalities by favoring those who can afford to pay for leaked exam papers or engage in fraudulent activities, while disadvantaging those who rely on their hard work and merit to succeed. The acts of cheating in examinations thus must be dealt with a stern hand, as their effects are not limited to an individual but impact society as a whole”.

14. In regard to the bail application of an accused in another paper leak case, ***Hon’ble Patna High Court in the order while rejecting a bail application in the case of Amit Prasad Maharana vs. The State of Bihar through CBI Bihar (Crl. Misc. No.80486 of 2024)*** has observed as under :-

8. Considering the gravity of offence, evidences brought against the petitioner during investigation and taking into consideration the fact that offence of present kind shakes the societal conscience and undermines the public trust and sanctity of the examination in which on an average over 20 lac candidates appear every year, I am not inclined to grant bail to the petition.

15. Very recently, while dismissing the bail applications of several accused persons in another paper leak case, the Hon’ble Orissa High Court in ***BLAPL NOs.1912, 1984, 2054, 2259, 2522, 2683, 2942, 2964, 3423, 3433, 3906, 4961, 5825, 5893 of 2026, titled Sridhar Mantry & Ors. vs. State of Orissa (Order dated 17th July, 2026)***, has made the following observations regarding the adverse impact of these illegal activities on the meritorious candidates as well as on the Society are reproduced as under :-

5. It is also equally important that if an undeserving candidate is allowed to get the job by corrupt means, not only the society will be deprived of deserving candidates, but also it would be unfair for those meritorious candidates who are honestly working hard and waiting for their turn in the exam, but ultimately finding themselves disentitled to the post because of such fraudulent practices and malpractices of unscrupulous persons. It is also equally important that the socio-economic offence constitute a class apart and need to be visited with different approach in the matter of bail. It cannot be forgotten that competitive and public recruitment exams demand the highest standards of integrity and transparency, but in recent past malicious elements, organized paper leak syndicate, negligent service vendors have severely disrupted public exams. These paper leaks yield massive illicit financial gains for criminals while shattering the confidence of millions of hardworking youths. The leakage of public recruitment exam papers is not merely a common criminal offence; it is a direct assault on the socio-economic fabric of the society and shatters the public trust in meritocracy. The offence deprives lakhs of honest hardworking candidates of their livelihood causing deep institutional damage and public anger.

16. Thus, keeping in view the totality of facts & circumstances of the present case, nature of allegations against the accused as well as the aforesaid conduct of the accused and also that the investigation is at its crucial stage and further that the possibility of influencing the public witnesses cannot be ruled out, this Court is not inclined to grant bail to the accused. Accordingly, the bail application moved by accused Dr. Manoj Bhagwanrao Shirure is hereby dismissed. Dasti.

**Announced in the open Court
on this 24th Day of July 2026**

AJAY
GUPTA
Digitally signed
by AJAY GUPTA
Date:
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15:31:05
+0530

**(Ajay Gupta)
Spl. Judge (PC Act): CBI-15
RADC, New Delhi/24.07.2026**