

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**CRIMINAL APPLICATION NO. 1945 OF 2016
IN
CRIMINAL APPEAL NO. 11 OF 2016**

Ashish Vyankat Phad

..APPLICANT

VERSUS

State of Maharashtra

..RESPONDENT

....
Mr. R.S. Deshmukh, h/f Mr. S.W. Munde, Advocate for applicant.
Mr. S.N. Morampalle, APP for respondent / State .
....

**CORAM : INDIRA K. JAIN, J.
DATED : 2nd APRIL, 2016**

ORDER :

. Heard Mr. Deshmukh, holding for Mr. Munde, learned Counsel for applicant and Mr. Morampalle, learned APP for State.

2. Applicant was convicted in Sessions Case No. 38 of 2012 by the learned Additional Sessions Judge, Ambajogai for the offences punishable under Sections 307 and 323 read with Section 34 of the Indian Penal Code. Since then he is in Central Prison, Nashik.

3. Applicant Ashish submits that he is studying at Department of Mathematics in Dr. Babasaheb Ambedkar Marathwada University,

Aurangabad and would be answering M. Sc. Mathematics examination to be held from 05.04.2016 to 05.05.2016. The venue of examination is at Aurangabad. Learned Counsel for applicant submits that during trial applicant was on bail. There is no possibility of his fleeing away from justice. Applicant thus seeks temporary release on bail for appearing in said examination.

4. Learned APP does not seriously object the application.

5. In view of the fact that applicant has to answer the examination at Aurangabad and at present he is in Central Prison, Nashik, this Court finds it fit to release him on bail for temporary period i.e. from 04.04.2016 to 05.05.2016 so as to enable him to appear for examination.

6. (i) Accordingly Applicant Ashish is released on temporary bail for the period from 04.04.2016 to 05.05.2016 on his furnishing solvent surety to the tune of Rs.15,000/- (Rupees Fifteen Thousand Only) each.

(ii) Applicant shall surrender himself to concerned prison on 06.05.2016.

(iii) During the period of release applicant shall not indulge in any criminal activity else his bail shall be treated as cancelled.

(iv) Criminal Application stands disposed of in above terms.

(v) Parties to act on authenticated copy of this order.

(INDIRA K. JAIN, J.)