

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

**CRIMINAL APPLICATION NO.1354 OF 2017
IN
CRIMINAL APPEAL NO.11 OF 2016**

Devraj Vyankatrao Phad .. Applicant

Versus

The State of Maharashtra .. Respondent

Mr.Govind Kulkarni, Advocate h/f Mr. Rajendra S.
Deshmukh, Advocate for the applicant
Mr.P.N. Kutti, APP for the respondent/State

**CORAM : V.L. ACHLIYA, J.
DATED : 15.03.2017**

P.C. :-

. The applicant has moved this application seeking interim bail for the reasons set out in detail in the application and more particularly to appear B.S.L.,LL.B. 4th and 5th year examination commencing w.e.f. 15.03.2017.

2. Heard learned counsel for the applicant and APP for the respondent and further perused the report dated 14.03.2017 received by A.P.P. from the Officer of the concerned Police Station.

3. The applicant alongwith co-accused convicted under section 307, 323 r/w 34 of the I.P.C. and sentenced to suffer imprisonment for seven years and fine of Rs. 500/-. The applicant is in jail since December-2015. The application seeking bail moved earlier was withdrawn, as the hearing of the appeal was expedited. The appeal is ready for hearing. It is the say of the applicant that he has prepared for the said examination from jail. Previously he has made similar application and appeared for examination.

4. Learned APP submits that looking to the cause the request may be granted by putting certain conditions.

5. Upon considering the reason assigned sentence awarded, overall facts of the case previous order granting bail on similar grounds and there was no breach of conditions of bail on the part of applicant, I am inclined to allow the application. Hence the following order:

ORDER

A] The application is allowed.

B] The applicant namely Devraj Vyankatrao Phad be released on temporary bail on furnishing cash bail in sum of Rs.20,000/- (Rupees Twenty Thousand Only) with one surety in like amount for a period w.e.f. 15.03.2017 to 29.03.2017 on following conditions.

i] The applicant shall report the Police Station, Majalgaon, Dist. Beed in between 06.00 p.m. to 07.00 p.m. except the day on which the applicant appears for examination.

ii] The applicant shall surrender before the Central Prison, Nashik on 29.03.2017 before 04.00 p.m.

iii] The compliance of the order of surrender shall be reported to this Court on 02.04.2017.

iv] The applicant shall not indulge into any criminal activity during such period.

v] The applicant shall not meet the complainant and other witnesses in the case.

vi] The applicant shall furnish the names, addresses and phone numbers with residential proof of his three close relatives.

vii] Cash bail be furnished before the High Court of Bombay Bench at Aurangabad.

C] The Registrar (Judicial) is directed to communicate the order to Superintendent, Central Prison, Nashik as well as the Police Inspector, Police Station Majalgaon, Dist. Beed by fax.

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D] The learned APP is directed to communicate the order to Superintendent, Central Prison, Nashik as well as the Police Inspector, Police Station Majalgaon, Dist. Beed by fax.

E] Authenticated copy of this order be supplied to the parties to act upon.

[V.L. ACHLIYA,J.]