

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

Criminal Application No. 01801 of 2017

District : Aurangabad

Harishkumar s/o. Jitu Chandaliya,
Age : 19 years,
Occupation : Student,
R/o. Plot No.90,
Jay Bhavani Nagar,
Bajajnagar, Aurangabad. .. Applicant.

versus

The State of Maharashtra,
At the instance of MIDC Waluj
Police Station, Dist. Aurangabad. .. Non-applicant.

.....

Mr. Abhaysinh K. Bhosale, Advocate, for the applicant.

*Mr. S.D. Ghayal, Addl. Public Prosecutor, for the
non-applicant.*

.....

CORAM : T.V. NALAWADE, J.

DATE : 06TH APRIL 2017

ORAL ORDER :

By the present application, the applicant -
accused seeks temporary bail in connection with Crime
No. 0212/2016 registered with MIDC Waluj Police
Station, District Aurangabad, for offences punishable
under Sections 302, 307, 452, 143, 147, 148, 149,
427, 504 and 120B of the Indian Penal Code and
Section 135 of the Maharashtra Police Act.

02. Learned Advocate for the applicant submitted that in the past, the present applicant was granted temporary bail for the purpose of attending examination, by this Court vide order dated 15.11.2016 in Criminal Application No. 6193 of 2016. He submits that the applicant is again required to appear for the examination of Diploma in Computer Technology and, therefore, the applicant seeks his release on temporary bail for attending the examination.

03. Along with the application, a copy of examination programme is annexed which shows that applicant's examination will start on 11.04.2017 and the last paper will be on 02.05.2017.

04. Considering the fact that there is allegation that the applicant has committed offences punishable under Section 302, 307, etc. of the IPC, this Court holds that it will not be safe and proper to grant temporary bail to the applicant though such relief was granted at earlier point of time and afterwards he has surrendered.

05. If the applicant really wants to appear for the examination, some arrangement can be made. So order of following nature is made.

06. The applicant is to be taken to the examination center with police escort and for the

conveyance and escort charges are to be deposited in advance in jail by the applicant. On every date of examination, the applicant is to be taken for appearing in the examination center and then he is to be taken back to the hall. The applicant is to produce copy of Hall Ticket and deposit the charges in advance with jail authority. Only after that, this order is to be implemented. Unnecessary restrictions are not to be put for taking the applicant to appear for the examination.

07. With the above directions, the Application is disposed of.

08. Parties to act upon an authenticated copy of this order.

(T.V. Nalawade)
JUDGE

.....