



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

909 CRIMINAL APPLICATION NO.1873 OF 2024
IN
CRIMINAL APPEAL NO.401 OF 2023

Dnyaneshwar Dhanaji Ingle

..Applicant

Versus

The State of Maharashtra and Another

..Respondents

Advocate for Applicant

.....

Addl. PP for Respondent / State

Advocate for Respondent No.2

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.....

Shri. Shaikh Kayyum Najir

Shri. S. D. Ghayal

Shri. A. R. Syed (Appointed)

CORAM : R. G. AVACHAT AND
NEERAJ P. DHOTE, JJ.

Dated : May 07, 2024

PER COURT :-

. This is the Application for interim / Temporary Bail on the ground of marriage of Applicant's real sister on 11.05.2024 at Hanuman Nagar, Aa. Balapur, Tal. Kalamnuri, Dist. Hingoli.

2. It is submitted by learned Advocate for the Applicant that he is the only brother of his sister who is getting married. He submits that for performing certain rituals the presence of the Applicant is necessary in the marriage. He submits that due to shortage of time, the Applicant could not resort to the remedy of the parole before concerned authority who would be busy in the Election Duty.

3. We have heard learned Addl. P. P. for the State and learned Advocate for Respondent No.2. They opposed the Application vehemently. They submit that despite the remedy available to the Applicant under the Prison Manual for Parole, he approached this Court. They submit that in view of the remedy available to the Applicant, this Application be rejected.

4. There can be no dispute in respect of availability of the remedy of Parole. The copy of marriage invitation card is enclosed with the Application which show that the marriage is scheduled on 11.05.2024 in the morning at 10.51 Hrs. We see substance in the contention of learned Advocate for the Applicant that due to shortage of time, the Application for parole would not be prepared and decided within the stipulated time. Considering the ground i.e. marriage of real sister of the Applicant and requirement of his presence for performing certain rituals, we pass the following order:-

ORDER

(i) The Application is partly allowed.

(ii) Applicant namely Dnyaneshwar Dhanaji Ingle is granted Temporary Bail for a period of Six (6) Days from the date of his release. He shall execute Surety Bond of Rs.15,000/- (Rupees Fifteen Thousand Only) before the learned Trial Court after release. He shall execute Personal Bond before the concerned Jail Authority. He shall surrender before the concerned Jail Authority on the expiry of the aforesaid period

of Six (6) days.

(iii) The Fees of learned Advocate appointed to represent the Respondent No.2 is quantified at Rs.5,000/- (Rs. Five Thousand Only) to be deposited by the Applicant in this Court within a period of Six (6) days. On deposit of the said amount, it be paid to learned Advocate appointed for Respondent No.2.

(iv) The Application stands disposed of.

(NEERAJ P. DHOTE, J.)

(R. G. AVACHAT, J.)

GGP