



IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 4801 OF 2024  
IN CRIMINAL APPEAL NO. 929 OF 2024

Raj s/o Santosh Koli  
Age – 19 years, Occu Nil,  
R/o. Jalgaon Khurd,  
Taluka and District Jalgaon.

.... Applicant  
[Orig. Accused]

Versus

1. The State of Maharashtra

2. XYZ

... Respondents

.....

Mr. Shaikh Mohammad Naseer, Advocate for the Applicant.  
Mrs. Chaitali Chaudhari Kutti, APP for Respondent No.1-State.

.....

**CORAM : ABHAY S. WAGHWASE, J.**

**DATED : 04 DECEMBER 2024**

**PER COURT :-**

1. Convict in Special Case (POCSO) No. 221 of 2021 has preferred instant application for temporary bail to enable him to appear for B.Tech. Engineering examination.

2. Learned counsel for the applicant pointed out that applicant was tried and convicted by Special Court in above Special Case and is currently suffering sentence in Nasik Central Prison. It is further pointed out that applicant is a student of B.Tech in Mechanical Engineering course and Sandip University, Nasik. He has to face

semester examination which already commenced from 02.12.2024. That he intends to appear for examination on the dates as mentioned in his examination Hall Ticket [Exhibit A at page 7 of the application] i.e. on 05.12.2024, 06.12.2024, 07.12.2024, 10.12.2024, 12.12.2024 and 19.12.2024. Hence, to enable him to face examination, prayers are raised for temporary bail for reaching the examination center at Sandip University on given dates.

3. Learned counsel made a statement that applicant is ready to bear and pay necessary escort charges.

4. Learned APP, while answering the above application, fairly conceded that, as applicant is a student of B.Tech and keen for appearing in examination, temporary bail to that extent may be granted subject to payment of escort charges.

5. After considering the above submissions and on going through the papers, more particularly the hall ticket and examination timetable, temporary bail as prayed is required to be granted only on those dates on which he has exams. On payment of escort charges, jail authorities/escort party to arrange for shifting applicant from Central Prison Nashik to the Examination Center located at Sandip University, Mahiravani, Trimbak Road, Nasik.

6. Escort party to keep vigil during the period and time the applicant is facing examinations. Prior intimation be given to the Principal/Dean/Examination Chief to allow applicant to appear for the examination and collage authorities to extend necessary cooperation to escort party to keep vigil on the convict during the examination hours. Escort party to take him back to Central Prison, Nasik after the exam is over on each of the day on which he is appearing for the examination.

7. Application is thus allowed subject to payment of escort charges. Applicant shall not leave escort party or examination hall during exams without intimating escort party for any other reason and he shall not leave the examination center till he is taken in custody by the escort party.

8. College authorities to submit report his attendance to the Superintendent of Central Prison after the examination is over.

9. The application is accordingly disposed of.

10. Parties to act on an authenticated copy of this order.

**[ABHAY S. WAGHWASE, J.]**