

rajshree

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
INTERIM APPLICATION NO.5146 OF 2024
IN
CRIMINAL APPEAL NO.410 OF 2022**

Sohail Salim Ansari] .. Applicant

vs.

State of Maharashtra] .. Respondent

Mr.Prashant Pandey a/w Dinesh Jadhvani and Ridhima Mangaonkar
i/b W3 Legal LLP for the Applicant.

Ms.Pooja Shinde, APP for the State.

**CORAM : BHARATI DANGRE &
MANJUSHA DESHPANDE, JJ**

DATE : 14th DECEMBER, 2024.

P.C.

1. A precipe is moved before us in the wake of non availability of the concerned Court (Revati Mohite-Dere and Shivkumar Dige, JJ) which had passed an order on 13/12/2024.

The precipe seek correction in the operation portion of the order and in specific Clause (ii) where it is directed as under :-

(ii) The applicant shall surrender before the Nashik Road Central Jail, Nashik on 19th December, 2024.”

Para 6 of the order further record as under :-

“6. Learned APP to forthwith communicate the above order to the concerned Superintendent of Nashik Road Central Jail, Nashik, so as to enable them to comply with the same.”

2. The learned counsel for the Applicant has taken out the precipe for speaking to the minutes of the order for carrying out necessary correction, as the Applicant is presently housed in Open District Prison, Paithan.

The order had directed release of the Applicant on interim bail for attending first year BA LLB examination which is scheduled on 18/12/2024.

However, in the wake of the inadvertent error in the order dated 13/12/2024, the release of the Applicant has become an impossibility.

3. The learned APP Ms. Shinde, concur to the assertion of the of the Applicant that "Nashik Road Central Jail, Nashik" deserve to be substituted by Open District Prison, Paithan as the Applicant is incarcerated in the said prison and not in the Nashik Road Central Jail as recorded in the order.

4. In the wake of the no objection accorded by the learned APP, the order dated 13/12/2024 shall stand corrected in the following manner :

Clause (ii) stand corrected as below :-

"(ii) The applicant shall surrender before the Open District Prison, Paithan on 19th December, 2024."

Para 6 of the order stand corrected as below :-

"6. Learned APP to forthwith communicate the above order to the concerned Superintendent, Open District Prison, Paithan, so as to enable them to comply with the same."

The order dated 13/12/2024 shall be read alongwith the present order.

(MANJUSHA DESHPANDE)

(BHARATI DANGRE, J.)