

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

**CRIMINAL APPLICATION NO. 437 OF 2015
IN
CRIMINAL REVISION APPLICATION NO. 13 OF 2015**

NANDKISHOR GHANSHIRAM PRAJAPAT

V/S

THE STATE OF MAHARASHTRA

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Mr. Yogesh B.Bolkar h/f Mr. U.A.Bhadgaonkar,
Advocate for the Applicant.

Mr. V.P.Kadam, A.P.P. for Respondent – State.

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CORAM : V.M.DESHPANDE, J.

DATE : 9th FEBRUARY, 2015

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PER COURT :

1. This is an application for suspension of substantive jail sentence and for grant of bail. The applicant has preferred Criminal Revision Application before this Court questioning the Judgment and Order of conviction passed by the learned Magistrate which is confirmed by the learned appellate Court. This Court has admitted the present Revision Application.

2. It is contended on behalf of the applicant that during the trial, during the pendency of the Appeal and at no

point of time he has mis-used the liberty granted. The statement made by the learned counsel for the applicant is not controverted by the learned A.P.P.

3. Further, looking to the pendency of the Criminal Revision Application before this Court, it is clear that in near future, it is not possible to take final hearing of the present Revision Application. Further, the jail sentence imposed upon the applicant is for limited duration. He has already paid the fine amount.

4. That leads me to pass the following order :

(1) The present Criminal Application is hereby allowed.

(2) The substantive jail sentence imposed upon the applicant by the learned 8th Judicial Magistrate First Class, Dhule on 23/06/2008 in S.T.C. No. 8018/2002 together with the confirmation of said substantive jail sentence passed by the learned Additional Sessions Judge, Dhule on 07/01/2015 in Criminal Appeal No. 87/2008 is hereby suspended. During the pendency of the present Criminal Revision Application, the applicant Nandkishor Ghanshiram Prajapt shall be released on bail, on he executing P.R. Bond of ₹ 10,000/- [Rupees Ten Thousand only] with 2 solvent sureties of like amount.

- (3) The applicant shall remain present in this Court at the time of final hearing.
- (4) The present Criminal Application is disposed of.

[V.M.DESHPANDE, J.]

KNP/Cr. Apln. 437.2015 in Cr. Revn. Apln. 13. 2015