

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

**CRIMINAL APPLICATION NO. 904 OF 2015
IN
CRIMINAL APPEAL NO. 180 OF 2015**

Bhaskar S/o Sudam More

.... APPLICANT

V E R S U S

The State of Maharashtra

.... RESPONDENT

.....

Mr. C.R.Thorat, Advocate for Applicant.

Mr. M.M.Nerlikar, A.P.P. for R- 1 State.

.....

CORAM : V.M.DESHPANDE, J.

DATE : 27th MARCH, 2015

.....

PER COURT :

1. This is an application for suspension of substantive jail sentence imposed upon the present applicant by the learned Sessions Judge, Aurangabad by Order dated 19/01/2015 in Sessions Case No. 26/2014, by which the present applicant is convicted for the offence punishable u/s 304 (II) of the Indian Penal Code and directed that the applicant/appellant shall suffer rigorous imprisonment for five years and to pay fine of Rs. 500/-.

2. The present Criminal Appeal is already admitted by this Court on 03/03/2015. Learned counsel for the applicant submitted that the applicant was on bail during the trial and at no point of time he has mis-used the liberty granted to him.

3. This Court is taking the Appeals of the year 2000. Therefore, in near future, there is no possibility of reaching the present Criminal Appeal for its final hearing.

4. In that view of the matter, the substantive jail sentence imposed upon the present applicant by the learned Sessions Judge, Aurangabad by Order dated 19/01/2015 in Sessions Case No. 26/2014 is hereby suspended and he be released on bail on he executing P.R. Bond of Rs. 5,000/- [Rupees Five Thousand] with one solvent surety of like amount before the learned trial Court. The appellant shall remain present at the time of final hearing of the present Appeal.

5. With these observations, the present Criminal Application is disposed of.

[V.M.DESHPANDE, J.]