

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO.3945 OF 2015
IN
CRIMINAL APPEAL [STAMP] NO.539 OF 2015

Dnyaneshwar Pralhadrao Birajdar ..Applicant
Versus
The State of Maharashtra ..Respondent

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Mr.T.M.Tandale, advocate for applicant

Mr.R.P.Phatake, APP for respondent - State

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CORAM : M.T. JOSHI, J.

DATE : JULY 27, 2015

PER COURT :

Heard.

2] Issue notice to respondent - State. Learned
APP waives notice for respondent - State.

3] For the reasons stated in the application,
delay of 66 days caused in filing the appeal, is
hereby condoned. The application is accordingly
allowed.

4] The appeal be registered as per due procedure of law.

[M.T. JOSHI, J.]

kbp

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO.3946 OF 2015
IN
CRIMINAL APPEAL [STAMP] NO.539 OF 2015

Dnyaneshwar Pralhadrao Birajdar
Age : 57 years, Occu.: Stamp Vendor,
R/o.: Lohara, Tal. Lohara,
Dist. Osmanabad ..Applicant

Versus

The State of Maharashtra
Through Investigating Officer,
Shri Fulchand Chokhalal Rathod,
Age : 64 years, Occu.:Police Inspector,
Anti-Corruption Bureau, Osmanabad,
Tal and Dist Osmanabad ..Respondent

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Mr.T.M.Tandale, advocate for applicant
Mr.R.P.Phatake, APP for respondent - State

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CORAM : M.T. JOSHI, J.
DATE : JULY 27, 2015

PER COURT :

1] Issue notice to respondent - State.
Learned APP waives notice for respondent - State.

2] Heard both sides.

3] Present applicant, who was convicted by learned Special Judge, Omerga, Dist. Osmanabad, in Special Case (A.C.) No. 05 of 2011, vide Judgment and Order dated 19.03.2015, for the offence punishable under Section 12 of the Prevention of Corruption Act, 1988 and was sentenced to suffer rigorous imprisonment for a period of 1 year and to pay a fine of Rs.10,000/-, in default to suffer simple imprisonment for six months for the said offence, is praying for suspension of substantive sentence and his release on bail.

4] Learned counsel for the applicant submits that the fine amount is already deposited.

5] Considering the short-term sentence awarded to present applicant, the substantive sentence is hereby suspended, during pendency of the Criminal Appeal.

6] The applicant/appellant be released on bail on his executing P.R. bond in the sum of Rs.30,000/- (Rs.Thirty Thousand) and also upon furnishing surety in the like amount.

7] The application is allowed and disposed of accordingly.

[M.T. JOSHI, J.]

kbp

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPEAL [STAMP] NO.539 OF 2015

Dnyaneshwar Pralhadrao Birajdar ..Appellant

Versus

The State of Maharashtra ..Respondent

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Mr.T.M.Tandale, advocate for appellant

Mr.R.P.Phatake, APP for respondent - State

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CORAM : M.T. JOSHI, J.

DATE : JULY 27, 2015

PER COURT :

Heard both sides.

2] **Admit**, on registration of the appeal.
Print of paper-book is dispensed with. Learned
A.P.P. wavier service of notice for the
respondent/State, upon admission of the appeal.

3] The appeal be placed with connected
Criminal Appeal No.361 of 2015.

[M.T. JOSHI, J.]

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