

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

**CRIMINAL APPLCIATION NO.1331 OF 2015
IN
CRIMINAL APPEAL NO. 1034 OF 2015**

Jaykar G. Rasal & Anr.
V/s.

..Applicants/Appellants

The State of Maharashtra

.. Respondents

Mr.M.K. Kocharekar i/by Mr.Sandip Babar,
for the applicant/appellant.

Mrs.P.P. Bhosale, APP for the Respondent-State.

Mr.B.R. Patil, Sr. Police Inspector, Karad City Police Station,
Karad, Dist-Satara.

CORAM : A. R. JOSHI, J.

DATE : 29th OCTOBER, 2015.

P.C.

1. Heard learned counsel for the applicant in this application for bail during pendency of appeal. Present application is preferred by original accused nos.4 and 5. They are convicted for the offence punishable under section 120-B and sentenced to suffer RI for five years. They are also convicted for the offence under section 307 read with section 120-B and again sentenced to suffer RI for 5 years. Respective fine amounts were imposed.

2. Report is produced by the learned APP that the State has taken step for challenging the acquittal of the co-accused nos.3 and 7 for the offences punishable under section 307 read with section 120-B.

3. So far as present applicants are concerned they were on bail during the trial. It is ascertained that these applicants were not present during the actual incident and they were convicted by taking recourse to section 120-B of I.P.C.

4. Considering these circumstances the present applicant be released on same bail as granted by the trial Court with fresh bond to be executed before the trial Court.

5. This order of bail is subject to deposit of the entire fine amount before the trial Court if earlier not paid.

6. After availing the bail the applicant shall attend Karad City Police Station on First Sunday of every month so as to ascertain their whereabouts during pendency of the appeal.

7. Needless to mentioned that as an when State prefers an appeal challenging the acquittal of the co-accused and which shall be brought before the concerned Division Bench, present matter is required to be taken before the same Division Bench.

(A. R. JOSHI, J)