

Ladda

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION No. 898 of 2015

IN

CRIMINAL APPEAL No. 745 of 2015

Chandrakant Chokhaji Kharat

..Applicant.

Versus

The State of Maharashtra

..Respondent.

Mr Hitesh Shah, Advocate for the Applicant.

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

CORAM : A.R.JOSHI,J

DATE : 10th August, 2015

P.C. :

Heard rival submissions on this application for bail during the pendency of the appeal.

The applicant is convicted for the offence u/s 435 and sentenced to suffer RI for three years and to pay a fine of Rs.3000/-. He is also convicted for the offence u/s 427 of IPC and sentenced to suffer RI for one year and fine of Rs.500/-. During the trial, the applicant was on bail and after the conviction he is released on bail. Reportedly, both the fine amounts are already paid. Considering the case of the prosecution as to only one eye-witness saying that on the relevant night he saw the applicant pouring petrol on the motor-cycle of the complainant and setting it on fire and then ran away and considering that there is no other

eye-witness and only finding of an empty plastic bottle after three days at the instance of the present applicant, in the opinion of this Court, the present applicant can be released on bail during the pendency of the appeal. Hence, the following order:-

ORDER :

The application for bail is allowed.

The applicant be released on same bail as granted by the trial Court, with fresh bonds to be executed before the trial Court.

Application is disposed of.

(A.R.JOSHI, J.)