

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

**CRIMINAL APPLICATION NO.1194 OF 2015  
IN  
CRIMINAL APPEAL NO.935 OF 2015**

Shahrukh Rafiq Shaikh ..Applicant/Appellant  
V/s.  
The State of Maharashtra .. Respondents

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Mr.Prashant D.Patil, for the applicant/appellant.  
Mrs.P.P. Bhosale, APP for the Respondent-State.

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**CORAM : A. R. JOSHI, J.  
DATE : 30<sup>th</sup> SEPTEMBER, 2015.**

**P.C.**

1. Heard rival submissions on the application for bail/suspension of substantive sentence during pendency of appeal. The applicant is convicted for the offence punishable under sections 354 and 354-A of Indian Penal Code and sentences to suffer RI for two years and also to pay fine. During the trial applicant was on bail. However, after the conviction on 07<sup>th</sup> September 2015 passed by the Special Judge and Additional Sessions Judge No.3, Nashik he was taken in custody and since then he is inside.

2. Considering the allegation and conviction for the offence under sections 354 and 354-A in the opinion of the Court the present applicant can be released on bail during pendency of appeal, hence application is allowed.

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

4. This bail order is effective only after the deposit of the entire fine amount awarded against the applicant by way of the judgment and order dated 07<sup>th</sup> September 2015. Application is accordingly disposed of.

5. Substantive sentence is suspended till disposal of the appeal.

6. After availing the bail the applicant shall attend concerned police station which has earlier registered an offence against him in which he was tried, on first Sunday of each

alternate month between 10.00 a.m. to 12.00 noon.

**(A. R. JOSHI, J)**

CERTIFICATE

Certified to be true and correct copy of the original signed  
Judgment/order.