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

**CRIMINAL APPLICATION NO. 1596 OF 2016
IN
CRIMINAL REVISION APPLICATION NO. 71 OF 2016**

Rajendra S/o Devidas Kate,
Age: 42 years, Occu: Agri.,
R/o Sant Namdeonagar, Beed,
Tq. & Dist. Beed

..APPLICANT

VERSUS

The State of Maharashtra

..RESPONDENT

Mr P. S. Dighe, Advocate for applicant;
Mr R. V. Dasalkar, Addl. Public Prosecutor for respondent

CORAM : N.W. SAMBRE, J.

DATE : 12th April, 2016

ORAL ORDER :

Heard.

2. By the present application, the applicant seeks suspension of substantive sentence and his release on bail.

3. The applicant was convicted by the learned Judicial Magistrate First Class, Beed in Summery Criminal Case No. 1623 of 2008 by an order dated 4th March, 2013, for the offence punishable under Section 353 of the Indian Penal Code and sentenced to suffer simple imprisonment for a period of one year and fine of Rs. 1,000/-, in default, further to suffer simple imprisonment for one month.

(2)

4. The appeal before the learned Additional Sessions Judge, Beed came to be dismissed by an order dated 11th March, 2016 in Criminal Appeal No. 56 of 2013. As such, present revision.

5. Since the applicant-accused was on bail during the trial before the learned Judicial Magistrate First Class, Beed, so also before the learned Additional Sessions Judge, Beed, and has not misused the liberty, in my opinion, the applicant is entitled to be released on bail. Hence, I pass following order :

(a) Applicant be admitted on bail on the same terms as were imposed by the learned Additional Session Judge, Beed.

(b) The substantive sentence imposed on the applicant shall stand suspended

6. Criminal Application stands allowed in above terms.

(N.W. SAMBRE, J.)

sjk