

(1)

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

**CRIMINAL APPLICATION NO. 2162 OF 2016  
IN  
CRIMINAL REVISION APPLICATION NO. 104 OF 2016**

1. Bandu s/o Laxman Lad
2. Vikram s/o Laxman Lad
3. Govind s/o Laxman Lad
4. Shivkumar s/o Bharat Lad
5. Bharat s/o Sheshrao Lad
6. Laxman s/o Sheshrao Lad
7. Dhempu s/o Laxman Lad
8. Shankar s/o Annasaheb Lad

All R/o Raheri, Tal. Georai,  
Dist. Beed

..APPLICANTS

VERSUS

The State of Maharashtra

..RESPONDENT

Mr R. G. Hange, Advocate for applicants;

Mr A. R. Kale, Addl. Public Prosecutor for respondent

**CORAM : N.W. SAMBRE, J.**

**DATE : 16th April, 2016**

**ORAL ORDER :**

Heard.

2. By the present application, the applicants seek suspension of substantive sentence and their release on bail.

(2)

3. The applicants are convicted by the learned Additional Sessions Judge, Beed in Criminal Appeal No. 141 of 2013 by an order dated 23<sup>th</sup> March, 2016, for offences punishable under Sections 147, 323, 427, 452 read with Section 149 of the Indian Penal Code and sentenced to suffer rigorous imprisonment for three months for offence punishable under Section 147 of the Indian Penal Code, rigorous imprisonment for one month for offence punishable under Section 323 read with Section 149 of the Indian Penal Code, rigorous imprisonment for one year for offence punishable under Section 427 read with Section 149 of the Indian Penal Code and further to suffer rigorous imprisonment for one year for offence punishable under Section 452 read with Section 149 of the Indian Penal Code and to pay fine of Rs. 5,000/- each, in default to suffer rigorous imprisonment for three months. The substantive sentences are directed to run concurrently.

4. The learned Counsel appearing on behalf of the applicants submits that the applicants were acquitted by the learned Judicial Magistrate First Class, Georai. He then submits that the applicants-accused were on bail during the trial before the learned Judicial Magistrate First Class, Georai, so also in appeal before the learned Additional Sessions Judge, Beed. He further submits that they have paid the fine amount and have not misused the liberty.

(3)

5. In the above background, in my opinion, the applicants are entitled to be released on bail. Hence, I pass following order :

(a) The substantive sentence imposed on the applicants shall stands suspended.

(a) Applicants be admitted on bail on the same terms as were imposed by the learned Court below while granting bail.

6. Criminal Application stands allowed in above terms.

**(N.W. SAMBRE, J.)**

sjk