

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

902 CRIMINAL APPLICATION NO.2760/2016
IN CRIMINAL APEAL NO.330/2016

Kiran s/o Suresh Thakare (Bhill) Age 25 years, Occu: Labourer	...	Applicant/ accused
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R/o Kalamsar, Bhilati, Kavthi
road, Kasumba, Taluka
and District Dhule

VERSUS

The State of Maharashtra ... Respondent

Advocate for Applicant : Mr. Choudhari N. L.
APP for Respondents State:Mr. S. Y. Mahajan

CORAM : K. L. WADANE
(VACATION JUDGE)
DATE : 25th May, 2016

ORDER:

1. Heard Mr. Choudhari, learned counsel appearing for the applicant-original accused and Mr. Mahajan, learned A.P.P. for Respondent/State.
2. The applicant-accused has been convicted for the offence punishable under section 354-A of the Indian Penal Code and sentenced to suffer simple imprisonment for a period of three years and to pay fine of Rs.500/-. The applicant/accused is also convicted for

the offence punishable under section 452 of the Indian Penal Code and sentenced to suffer Simple Imprisonment for a period of two years and to pay fine of Rs.400/-. The applicant/accused is also convicted for the offence punishable under section 323 of the Indian Penal Code and are sentenced to suffer Simple Imprisonment for a period of six months.

3. Learned advocate for the applicant states that the amount of fine is already deposited before the trial court and the same is clear from the endorsement of the Assistant Superintendent (Cash and Finance) District Court, Dhule, dated 30.04.2016. Hence, Considering the facts and circumstances of the case and the fact that the fine amount is already deposited before the trial court, this court is of the opinion that the applicant-accused shall be released on bail during the pendency of the appeal. Hence following order:

- i. Substantive sentence of imprisonment imposed against against the applicant-original accused is suspended till disposal of the appeal and during pendency of the appeal, the applicant-accused shall be enlarged on bail on his furnishing

Personal Release Bond of Rs.15,000/- (Rupees fifteen thousand) before the trial Court.

ii. Criminal application disposed of.

(K. L. WADANE, J.)

JPC