

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

CRIMINAL APPLICATION NO.3452 OF 2016 IN
CRIMINAL APPEAL NO.391 OF 2016

Bhagwan s/o Sitaram Arde ... APPLICANT

VERSUS

The State of Maharashtra ... RESPONDENT

.....
Shri S.J. Salunke, Advocate for applicant
Mrs. V.N. Patil Jadhav, A.P.P. for respondent/ State
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CORAM: A.I.S. CHEEMA, J.

DATED: 12th July, 2016.

ORAL ORDER :

1. Heard learned counsel for the applicant and the learned A.P.P. for the respondent/ State. Perused impugned judgment and order. It is stated that, the victim is resident of Satona (Kh.), Tq. Partur, District Jalna. The incident also occurred at that place. The applicant states that, he is ordinary resident of Satona (Kh.), but it is stated on his behalf by the counsel that, if so directed, the applicant - accused will not enter

the village of Satona (Kh.) or trouble the victim in any manner. It is stated that, the applicant would be residing at Partur, District Jalna.

2. For reasons stated in the application and accepting the above proposal of the applicant, I pass the following order.

3. The sentence of imprisonment alone of the applicant accused is suspended pending decision of the appeal, subject to the applicant - accused furnishing undertaking that during the pendency of the appeal, he will not enter the village of Satona (Kh.) or trouble the victim in any manner, and subject to the applicant furnishing P.R.B. and S.B. in the sum of Rs.15,000/- (Rupees fifteen thousand) before the Sessions Court, Jalna. At the time of releasing the applicant - accused on bail, the trial Court shall add condition of - accused marking presence in the trial Court every three months, till disposal of the Criminal Appeal. Trial Court shall yearly send report in January of marking presence by accused in this regard to this Court till disposal of appeal.

4. In case of any emergency, the applicant will be at

liberty to apply to the Police Inspector, Police Station, Partur for permission for short visit to Satona (Kh.), which the Police Inspector may grant.

5. The application is disposed of.

(A.I.S. CHEEMA, J.)

fmp/cr3452.16