

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BENCH AT AURANGABAD

CRIMINAL APPLICATION NO.3605 OF 2016

IN

CRIMINAL APPEAL NO.410 OF 2016

- 1) Rajendra Tulsiram Jadhav,
Age-44 years, Occu:Service,
R/o-Bhoipura, Jalna,
- 2) Arjun Dagadu Rathod,
Age-47 years, Occu:Service,
R/o-Plot No.8, Sankalp Nagar,
Ambad Road, Jalna.

...APPLICANTS

VERSUS

The State of Maharashtra

...RESPONDENT

...
Mr.Joydeep Chatterji Advocate for Applicants.
Mr.K.S. Hoke Patil, A.P.P. for Respondent.
...

CORAM: A.I.S. CHEEMA, J.

DATE : 11TH JULY, 2016

ORDER :

1. Heard learned counsel for the Applicants -

original accused. Heard learned A.P.P. also. It is stated that the accused were on bail at the time of trial. The trial Court had acquitted the accused but the Sessions Court has reversed the acquittal. It is stated that fine amount has already been paid and Sessions Court suspended its sentence till 14th July 2016.

2. The Appeal filed by the Applicants, has already been admitted. The Appeal will take some time to be decided. For the reasons stated in the Application, the Application deserves to be allowed.

3. The Criminal Application is allowed. The sentence of imprisonment alone imposed on the Applicant No.1 - Rajendra Tulsiram Jadhav and Applicant No.2 - Arjun Dagadu Rathod is suspended till decision of the Criminal Appeal which has been admitted, subject to Applicants - original accused furnishing P.R.B. and S.B. in the sum of

Rs.20,000/- (Rupees Twenty Thousand) each, in the trial Court. While admitting the Applicants - accused to bail, the trial Court shall add condition that Applicants shall mark their presence in the trial Court every three months till disposal of the present Appeal. The trial Court shall send yearly report in January, about compliance regarding appearance of the accused. The Applicants shall appear before the trial Court for furnishing the necessary bail on 27th July 2016, till then the present bail granted by the Sessions Court shall continue. Trial Court to send report regarding bail if furnished on 27th July 2016.

4. The Criminal Application stands disposed of.

[A.I.S.CHEEMA,J.]