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

**CRIMINAL APPLICATION NO.4228 OF 2016
IN
CRIMINAL APPEAL NO.449 OF 2016**

1. Ramrao s/o Vaijnath Itape,
2. Pradip s/o Devidas Itape,
3. Namdeo s/o Vaijinath Itape ..APPLICANTS

VERSUS

The State of Maharashtra ..RESPONDENT

WITH

**CRIMINAL APPLICATION NO.4229 OF 2016
IN
CRIMINAL APPEAL NO.449 OF 2016**

1. Hinduraja s/o Devidas Itape,
2. Balasaheb s/o Ramrao Itape,
3. Dattatraya s/o Devidas Itape,
4. Namdeo s/o Vaijinath Itape ..APPLICANTS

VERSUS

The State of Maharashtra ..RESPONDENT

Mr S.S. Thombre, Advocate to for applicants;
Mr C.V. Dharurkar, Addl. Public Prosecutor for respondent

CORAM : N.W. SAMBRE, J.

DATE : 19th August, 2016

ORAL ORDER :

(2)

Heard.

2. Issue notice to respondent.
3. Learned Addl. Public Prosecutor waives service of notice on behalf of respondent.
4. The applicants are convicted for offences punishable under sections 147, 148, 307 read with section 149 and 324 of the Indian Penal Code, vide judgment and order dated 12th July, 2016, passed by Additional Sessions Judge, Ambajogai.
5. Mr Thombre, learned Counsel appearing on behalf of the applicants would invite my attention to the fact that all the applicants were on bail during trial and have not jumped the bail. He then took me through the merits of the matter, so as to substantiate his contention that there is likelihood of acquittal of the applicants – accused.
6. The applicants have deposited the fine amount.
7. In view thereof, substantive sentence is suspended. The applicants be admitted to bail, on the same terms on which they were admitted on bail by learned Additional Sessions Judge.
8. Applicants shall submit private paper-book within a period of twelve weeks from today, failing which the bail granted to them shall stand revoked, without further reference to the Court.

Criminal Applications stand allowed in above terms.

(N.W. SAMBRE, J.)

amj