

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

CRIMINAL APPLICATION NO.4316 OF 2016 IN
CRIMINAL APPEAL NO.455 OF 2016

Bhagwan s/o Shrirang Chormale ... APPLICANT

VERSUS

The State of Maharashtra ... RESPONDENT

.....
Shri S.J. Salunke, Advocate for applicant
Shri K.D. Mundhe, A.P.P. for respondent
.....

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

DATED: 8th August, 2016.

ORAL ORDER :

1. Heard counsel for the applicant - appellant - original accused. It is stated that, the applicant was on bail in the trial Court. He is more than 60 years of age. It is stated that, there are no earlier offences. Conviction is only under Section 323 of the Indian Penal Code, which is a short term sentence. The counsel submits that, the applicant may be admitted to bail. It is stated that the fine has been paid and after conviction, the trial

Court has released the applicant on bail during appeal period.

2. Learned A.P.P. submits that, the Court may take any suitable decision.

3. Going through the appeal and the present application, the application is allowed and the sentence of imprisonment alone is suspended during pendency of the appeal which has been admitted, subject to the applicant - accused appearing in the trial Court on or before 22nd August 2016 and furnishing P.R.B. and S.B. in the sum of Rs.15,000/- (Rupees fifteen thousand). 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. Trial Court shall send compliance report to this Court.

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