

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

CRIMINAL APPLICATION NO. 5016 OF 2016
IN
CRIMINAL APPEAL NO. 508 OF 2016

Suhanabee w/o Sk. Sattar,
Age : 40 years, Occu. Household,
R/o. Kahala (Kd), Tq. Naigaon,
Dist. Nanded.

.. Applicant

Versus

The State of Maharashtra

.. Respondent

.....
Mr Ganesh Shinde, Advocate for the applicant
Ms Priti Diggikar, APP for respondent/State
.....

CORAM : V.L. ACHLIYA, J.
DATED : 02.09.2016.

PER COURT :

1. Heard. Perused the application and impugned Judgment & Order
dt. 12.07.2016 passed by the trial Court.

2. The applicant/original accused No. 2, who was tried for
committing offence u/s 201, 302 r/w Section 34 of the Indian Penal Code, has

been convicted only for the offence u/s 201 r/w 34 of the IPC and acquitted of the offence under Section 302 r/w 34 of the IPC. For committing offence u/s 201 of the IPC, the applicant has been sentenced to undergo rigorous imprisonment for three years.

3. Learned counsel for the applicant submits that, the applicant was on bail throughout the trial. The trial Court has suspended the sentence till appeal period is over. He further submits that, looking to the pendency, it will take long time to list the appeal for final hearing. He, therefore, submits that the applicant be enlarged on bail.

4. Having regard to the submissions made, the nature of offence for which the applicant is convicted, the sentence awarded and during trial the applicant was on bail, I am inclined to allow the application. Hence, the following order.

ORDER

- (1) The Criminal Application No. 5016 of 2016 is allowed.
- (2) Pending disposal of the appeal, substantive sentence awarded by the trial Court stands suspended.

- (3) Pending disposal of the appeal, applicant be released on bail on her furnishing bail in the sum of Rs. 15,000/- (Rupees Fifteen Thousand) with one surety in the like amount on the following conditions:
- (i) Applicant shall visit and record her attendance with the Kuntur Police Station, Dist. Nanded, once in six months in between 11:00 a.m. and 12:00 a.m., till disposal of the appeal.
 - (ii) Applicant shall furnish the names, addresses and phone numbers with residential proof of her three close relatives.
 - (iii) In the event of change in address, the Applicant shall inform the concerned Police Station as well as information to that effect be given to the Court.
- (4) In case of breach of any of the conditions as above, bail granted to the applicant shall be liable to be cancelled.
- (5) The applicant shall furnish fresh bail bonds in the trial Court.
- (6) Authenticated copy of this order be supplied to the applicant.

[V. L. ACHLIYA]
JUDGE