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

**CRIMINAL APPLICATION NO.5039 OF 2016
IN
CRIMINAL REVISION APPLICATION NO. 199 OF 2016**

Lalsingh s/o Bindraavan Kashwah ..APPLICANT

VERSUS

The State of Maharashtra ..RESPONDENT

Mr J. V. Deshpande, Advocate for applicant;
Mr K. D. Munde, A.P.P. for respondent

CORAM : N.W. SAMBRE, J.

DATE : 7th SEPTEMBER, 2016

ORDER :

Present revision is against the conviction ordered by the learned Judicial Magistrate First Class (Court No. 11), Aurangabad, on 28th January, 2014 convicting the applicant for an offence punishable under section 354 of the Indian Penal Code, sentencing him to suffer rigorous imprisonment of three months and fine of Rs. 1,000/-, in default, to suffer simple imprisonment for 15 days. The said order is confirmed in appeal

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being Criminal Appeal No. 46 of 2014 by the learned Additional Sessions Judge-6, Aurangabad, vide order dated 25th August, 2016.

2. The applicant was on bail during the trial and in appeal and has already deposited fine amount.

3. As the applicant remained absent during the pendency of the appeal, the appellate Court issued non-bailable warrant and taken him in custody on 19th August, 2016 and as such, he is behind the bars pursuant to the order of conviction.

4. It is not in dispute that the applicant was on bail during the trial and also during the pendency of appeal.

5. In view thereof, it will be appropriate in my opinion, to order the release of the applicant on the following terms :

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(a) The substantive sentence stands suspended. The applicant be released on bail, upon executing P.R. Bond of Rs. 25,000/- (Rs. Twenty Five Thousand) with one surety in the like amount.

(b) The Bond be executed before the Registrar(Judl.) of this Court.

(c) The applicant shall mark his attendance in this Court before the Registrar(Judl.) in the first week of January, 2017 and thereafter in the first week of July, 2017, till final disposal of revision application.

(d) The applicant shall deposit an amount of Rs. 15,000/- in this Court.

6. Criminal Application stands allowed in above terms.

(N.W. SAMBRE, J.)