

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

**CRIMINAL APPLICATION NO.6191 OF 2016
IN
CRIMINAL APPEAL NO.680 OF 2016**

ANJIRAM YASHWANTRAO SHEWALE
VERSUS
THE STATE OF MAHARASHTRA.

...

Mr V M Mane, advocate for applicant.
Mr. A R Kale, APP for respondent State.

...

CORAM : V.K. JADHAV, J.
Dated: November 15, 2016

...

PER COURT :-

1. By way of this application, the applicant-original accused is seeking suspension of substantive part of sentence passed by the learned Adhoc Additional Sessions Judge-1, Parbhani in S.T.No.136/2011 and further his release on bail.

2. The learned Adhoc Additional Sessions Judge-1, Parbhani by impugned judgment and order dated 16.9.2016 convicted the applicant-accused for the offence punishable u/s 324 of Indian Penal Code and sentenced to suffer R.I. for two years and to pay fine of Rs.3,000/-, in default to suffer S.I. for a term of six

months and also convicted for the offence punishable u/s 393 of Indian Penal Code and sentenced to suffer R.I. for two years and to pay fine of Rs.3,000/-, in default to suffer S.I. for a term of six months and both the substantive sentences are directed to run concurrently.

3. Being aggrieved by the same, the applicant-original accused has preferred appeal and pending the appeal filed present application.

4. Learned counsel for the applicant submits that the applicant-accused during the course of the trial was on bail and he had deposited the fine amount before the Trial Court.

5. I have also heard the learned APP for the State.

6. Considering the impugned judgment and order and the fact that the applicant accused was on bail during the course of the trial, this application deserves to be allowed. Hence, following order.

ORDER

- I. Application is hereby allowed.
 - II. Pending the hearing and final disposal of criminal appeal, the substantive part of sentence passed by the Adhoc Additional Sessions judge-1, Parbhani in Sessions Trial No.136/2011, as aforesaid, stands suspended and the applicant accused Anjiram Yashwantrao Shewale be released on bail on his furnishing P.B. of Rs.15,000/-(Rs. Fifteen thousand) with one surety of the like amount. Bail before trial court.
 - III. Humdast allowed.
7. Application accordingly disposed off.

(V.K. JADHAV, J.)

...

aaa/-