

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

**CRIMINAL APPLN/6941/2016
IN
CRIMINAL APEAL/727/2016**

KAKASAHEB MANIK SHINDE
VERSUS
THE STATE OF MAHARASHTRA

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Advocate for Appellant : Mr Patil Indrale Anand V.
APP for Respondents: Mr M B Bharaswadkar.

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CORAM : V.K. JADHAV, J.
Dated: December 22, 2016

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PER COURT :-

1. Heard.
2. Issue notice to the Respondent-State. Learned APP waives service of notice for respondent-State.
3. The learned counsel for the applicant-accused submits that during the course of the trial, the applicant-accused was on bail and even after conviction he is released on bail by suspending the substantive part of the sentence till the appeal period is over.
4. The applicant accused is convicted by the Special Judge, Osmanabad by the Judgment and order dated 30.11.2016 for the offence punishable under section 3 (1) (x)

of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act, 353 of IPC and 332 of IPC and thereby sentenced to suffer R.I. for one year and to pay fine of Rs.300/- and in default to suffer S.I. for 15 days.

5. Since the applicant-accused was on bail during the course of the trial and he had already deposited the fine amount before the Trial Court, I am inclined to allow this application. Hence, following order.

O R D E R

1. The application is hereby allowed.
2. The substantive part of the sentence passed by the learned Sessions Judge, Osmanabad dated 30.11.2016 in Special Case No.03/2016 stands suspended till the appeal period is over and till then, the applicant Kakasaheb Manik Shinde, be released on bail on his furnishing P.B. of Rs.15,000/- (Rs. Fifteen Thousand) with one surety of the like amount.
3. Bail before the Trial Court. Humdast allowed.
4. Criminal Application accordingly disposed of.

(V.K. JADHAV, J.)

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aaa/-