

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

**CRIMINAL APPLN/6990/2016
IN
CRIMINAL APEAL/738/2016**

MAROTI @ SUDHAKAR JANARDHAN SHINDE AND
OTHERS
VERSUS
THE STATE OF MAHARASHTRA.

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Advocate for Appellants : Mr Gaikwad Anil M.
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. Learned counsel for the applicants submits that during the course of the trial, the applicants were on bail and even after conviction, the learned Judge of the trial Court had released the applicants on bail by suspending the substantive part of the sentence till appeal period is over.

4. The learned Additional Sessions Judge, Biloli by judgment and order dated 30.11.2016 in Sessions Case No.7/13 convicted the applicants-accused for the offence punishable under sections 143/149 of IPC and sentenced to suffer S.I. for two years and also convicted the applicants-accused for the offence punishable under section 324 read with 149 of IPC and sentenced to suffer two years and to pay fine of Rs.1,000/- each, in default, to suffer S.I. for two months.

5. The applicants were on bail during the trial and even after their conviction they were released on bail by suspending the substantive part of the sentence till the appeal period is over. The learned counsel for the applicants submits that, the applicants have deposited fine amount before the Trial Court.

6. In view of the above, following order is passed.

O R D E R

- I. Application is hereby allowed.
- II. The substantive part of the sentence dated 30.11.2016 passed by the Additional

Sessions Judge, Biloli, in Sessions Case No.7/13 stands suspended till the disposal of the appeal and till then, the applicants No.1)- Maroti @ Sudhakar s/o Janardhan Shinde, 2)- Anteshwar s/o Janardhan Shinde, 3)- Govind Jejerao Shinde, 4)- Bhagwan s/o Jejerao Shinde, 5)- Shankar Shivaji Shinde and 6)- Madhav s/o Devidas Shinde be released on bail upon their furnishing P.B. of Rs.10,000/- (Rs. Ten Thousand) each, with one surety of the like amount, by each of them.

- III. Bail before the Trial Court. Humdast allowed.
- IV. Criminal Application accordingly disposed of.

(V.K. JADHAV, J.)

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aaa/-