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

**CRIMINAL APPLICATION NO. 7054 OF 2016
IN
CRIMINAL REVISION APPLICATION NO.274 OF 2016**

Sachin s/o Bhaskar Kambale,
Age: 25 years, Occ: Agri.,
R/o. Newasa phata, Tq. Newasa,
Dist. Ahmednagar. ..APPLICANT

VERSUS

The State of Maharashtra ..RESPONDENT

Mr Arun R. Vyawahare, Advocate h/f Mr Satej S.
Jadhav, Advocate for applicant;
Mr A.V. Deshmukh, Addl. Public Prosecutor for
respondent

CORAM : A.S. CHANDURKAR, J.

DATE : 23rd DECEMBER, 2016

ORAL ORDER :

The applicant who has been convicted for the offence punishable under Section 379 of the Indian Penal Code and has been sentenced to suffer rigorous imprisonment of five months, has filed present application for being enlarged on bail.

2. Notice is made returnable forthwith. The learned Additional Public Prosecutor waives service

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of notice on behalf of the non-applicant.

3. It is submitted by the learned Counsel for the applicant that though the order of conviction is confirmed by the Sessions Court, he has a good case on merits. The sentence imposed is imprisonment for five months and the revision application is not likely to be heard in near future. He, therefore, submits that the applicant be released on bail.

4. The application is opposed by the learned Additional Public Prosecutor on the ground that the judgment of the trial Court is confirmed by the appellate Court.

5. Perused the impugned judgments. Considering the sentence imposed is imprisonment for five months and there is no likelihood that the revision application be heard immediately, the applicant is entitled to be released on bail.

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6. The applicant is directed to be released on bail on the same terms and conditions upon which he was so released by the appellate Court. Fresh bail bonds be executed. The application is allowed.

(A.S. CHANDURKAR, J.)

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