

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO. 383 OF 2016
IN
CRIMINAL APPEAL NO. 1115 OF 2015**

Jishanali Iqbal Jahagirdar	...Applicant
Versus	
The State of Maharashtra	...Respondent

**WITH
CRIMINAL APPLICATION NO. 556 OF 2016
IN
CRIMINAL APPEAL NO. 1115 OF 2015**

Najmabanu Iqbal Jahagirdar	...Applicant
Versus	
The State of Maharashtra	...Respondent

Mr. Omprakash Dubey for the Applicants

Mr. A. S. Shitole, A.P.P for the Respondent-State

CORAM : REVATI MOHITE DERE, J.
WEDNESDAY, 3rd AUGUST, 2016

P.C. :

1. Heard learned Counsel for the applicants and the learned A.P.P for the State.

2. The appeal was admitted by this Court vide order dated 5th January, 2016. Learned Counsel for the applicants states that the applicants

were on bail pending trial and have not misused or abused their liberty. He submits that there are several discrepancies and omissions in the evidence of the witnesses. He further submitted that co-accused Iqbal Jahagirdar was implicated for the first time after three months of the incident by the victims. According to the learned Counsel, the appeal is not likely to come for hearing in the immediate near future and hence, the applicants be enlarged on bail.

3. Learned A.P.P does not dispute the fact that the applicants were on bail during trial and they have not abused or misused their liberty.

4. Perused the evidence. Considering the peculiar facts and circumstances of this case, the applications are allowed. The sentence imposed by the trial Court on the applicants is suspended and the applicants are enlarged on bail on the following terms and conditions :

ORDER

- (i) The applicants be enlarged on bail, on executing PR Bond in the sum of Rs. 10,000/- with one or two sureties in the like amount;

(ii) The applicants shall report to the trial Court, on the first Monday of every alternate month between 11:00 a.m. to 12:00 noon, pending final hearing and disposal of this case.

(iii) If the first Monday is a holiday, then the applicants shall report on the next following day.

5. The Applications are accordingly disposed of.

6. All concerned to act on the authenticated copy of this order.

REVATI MOHITE DERE, J.