

FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 946 OF 2016
IN
CRIMINAL APPEAL NO. 521 OF 2016

Shankar Barku Kasar Vs. The State of Maharashtra

Office Notes, Office Memoranda of Coram,
appearances, Court's orders or directions
and Registrar's orders.

Court's or Judge's orders

Mr. Vinayak Patil for applicant.
Ms. P.P. Bhosale, APP for State.

CORAM : A.S. GADKARI, J.
DATE : 3rd August 2016.

P.C.:

- 1) Heard the learned counsel for the applicant and the learned APP.
- 2) This is an application for suspension of substantive sentence and releasing the applicant on bail.
- 3) The applicant is convicted under Section 323 of the Indian Penal Code and sentenced to suffer rigorous imprisonment for six months and to pay fine of Rs.1000/-, in default of payment of fine to suffer further rigorous imprisonment for one month and under Section 3(1)(10) of Schedule Caste and Schedule Tribe (Prevention of Atrocities) Act and sentenced to suffer rigorous imprisonment for one year and to pay fine of Rs.5000/-, in default of payment of fine to further undergo rigorous imprisonment for two months by the Additional Sessions Judge-2, Thane, in

Sessions Case No.526 of 2012 by its Judgment and Order dated 7th July 2016. The learned counsel for the applicant submitted that applicant was on bail during pendency of the trial and there is no report of breach of any conditions of bail imposed upon him.

4) The maximum sentence imposed upon the applicant is six months of rigorous imprisonment. This is a short term sentence. During the pendency of the trial, the applicant was on bail. In view of the same, I am inclined to release the applicant on bail.

5) Hence, the following Order:

(i) The applicant be released on bail on his furnishing PR bond of Rs.25,000/- with one or two solvent local sureties in the like amount.

(ii) The applicant shall attend the Trial Court once in three months, on every 1st Monday of the said month between 11.00 a.m. to 2.00 p.m. during the pendency of the appeal.

(iii) Any two consecutive defaults in attending the Trial Court shall attract the provisions of cancellation of bail.

(iv) Application is allowed in the aforesaid terms.

(iv) All concerned to act on authenticated copy of this Order.

(A.S. GADKARI, J.)