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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

**CRIMINAL APPLICATION NO.438 OF 2016
(For Suspension of Sentence)**

**IN
CRIMINAL REVISION APPLICATION NO.436 OF 2016**

Bholashankar s/o Shalikram Vishwakarma	...Applicant
Versus	
The State of Maharashtra	...Respondent

Mr.S.G.Rajput, for the Applicant

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

CORAM : REVATI MOHITE DERE, J.

DATE : 9th AUGUST, 2016

P.C. :

1. Heard learned Counsel for the applicant and the learned A.P.P.
2. The applicant has been convicted by the learned Metropolitan Magistrate, 27th Court, Mulund, Mumbai vide Judgment and Order dated 21st January, 2013, passed in C.C.No.279/PS/2008, for the alleged offences punishable under Sections 279, 338 of the Indian Penal Code. The said

order of conviction and sentence was confirmed by the learned Sessions Judge in Appeal, so far as Section 279 of Indian Penal Code was concerned and the sentence and conviction for the offence under Section 338 of the Indian Penal Code was modified.

3. Learned Counsel for the applicant states that the applicant was on bail, pending the trial and his appeal and that he has not misused or abused the liberty granted to him. The Revision has been admitted by a separate order passed today in the Revision Application and the same is not likely to come up for the hearing in the immediate near future.

4. Accordingly, the application is allowed and the applicant's sentence is suspended and the applicant is enlarged on bail on the following terms and conditions :

ORDER

(i) The Applicant be enlarged on bail on furnishing P.R. Bond in the sum of Rs.10,000/- with one or two sureties in the like amount.

5. The Application is allowed in the aforesaid terms and is accordingly disposed of.
6. All concerned to act on the authenticated copy of this order.

REVATI MOHITE DERE, J.