

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

**CRIMINAL APPLICATION NO.1010 OF 2016
IN
CRIMINAL APPEAL NO.554 OF 2016**

Bhagwan Nivrutti Wagh ... **Applicant**
V/s.
The State of Maharashtra ... **Respondent**

.....

Mr.Aniket Vagal with Mr.Satyavrat Joshi, Advocate for the Applicant.
Mr.A.S.Shitole, Advocate for the Respondent.

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CORAM : P. N. DESHMUKH J.

DATED : 18th AUGUST 2016.

P.C.

1 This application is filed for suspension of substantive sentences imposed upon the applicant by the learned Special Judge, Nashik in Special Case (ACB) No.7 of 2010 and for grant of bail.

2 Heard learned counsel for both the parties.

3 Perused the impugned order. It appears that applicant came to be convicted by the above stated Court and is sentenced to suffer rigorous imprisonment of one year and to pay fine of Rs.3,000/- in default to payment of fine, to suffer further imprisonment for a term of two months for the offence punishable under Section 7 of the Prevention of Corruption Act, 1988. Applicant is further convicted for

the offence punishable under Section 13(1)(d) read with Section 13(2) of the Prevention of Corruption Act and is sentenced to suffer rigorous imprisonment for a period of two years and to pay fine of Rs.3,000/-, in default of payment of fine to suffer further imprisonment for a term of two months.

4 Perused the record. Having considering the fact that applicant was on bail during trial and on considering further that applicant is sentenced to undergo short imprisonment, application is liable to be allowed. Accordingly, the sentence imposed upon the applicant, as aforesaid, is liable to be suspended and applicant is entitled for being released on bail as per order below :

- (i) Applicant shall be released on bail on his executing personal bond in the sum of Rs.25,000/- with one surety in the like amount.
- (ii) Applicant be released on cash bail to the extent of Rs.25,000/- in lieu of surety for a period of eight weeks.

5 Parties to act upon copy of this order duly authenticated by Sheristedar of this Court.

(P. N. DESHMUKH J.)