

Anand

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

BAIL APPLICATION NO.1514 OF 2016

IN

CRIMINAL APPEAL NO.789 OF 2016

Shivaji Balaram Bhopi .Applicant

Vs.

The State of Maharashtra .Respondent

Mr.R.M.Kanojiya, Advocate, for the Applicant
Mr.P.H.Gaikwad-Patil, APP, for the Respondent -
State

CORAM : REVATI MOHITE DERE, J.

DATE : 21.12.2016

P.C.

. Vide Judgment and Order dated 07.10.2016
passed by the learned Sessions Judge, Raigad-
Alibaug in S.C.No.11 of 2012, the Applicant has
been convicted and sentenced as under :-

- to suffer R.I. For 18 months and to pay fine
of Rs.500/-, in default to suffer S.I. for one
month for the offence punishable under Section
353 r/w.34 of the Indian Penal Code; and
- to suffer R.I. for 18 months and to pay fine
of Rs.500/-, in default to suffer S.I. for one
month for the offence punishable under Section

332 r/w.34 of the Indian Penal Code.

The said sentences were directed to run concurrently. The Applicant was, however, acquitted of the offence punishable under Section 307 of the IPC.

2. Learned counsel for the Applicant states that the Applicant was on bail pending the trial and has not abused and misused the liberty granted to him. He submits that after his conviction, he was enlarged on bail and his sentence has been suspended under Section 389 of the Code of Criminal Procedure. He states that the Applicant has deposited the fine amount.

3. Perused the papers.

4. The Appeal has been admitted by a separate order passed in Appeal today. The Appeal is not likely to be heard in the immediate near future. The sentence awarded is a short term sentence. The Applicant was on bail

pending the trial and has not abused and misused liberty granted to him.

5. Considering the aforesaid, the Application is allowed. The Applicant's sentence is suspended and the Applicant is enlarged on bail pending the hearing and final disposal of the Appeal on the following terms & conditions :-

ORDER

(i) The applicant be enlarged on bail, on executing PR Bond in the sum of Rs.15,000/- with one or two sureties in the like amount;

(ii) The Applicant shall attend the trial Court once in 3 months, on the first Monday of the concerned month, between 11.00 a.m. to 12.00 noon commencing from January, 2017, pending the hearing and final disposal of his Appeal;

(iii) The applicant shall inform his latest place of residence and mobile contact number immediately after being released and/or change of residence or mobile details, if any, from

time to time to the concerned Police Station and the trial Court.

6. The Application is allowed in the aforesaid terms and is accordingly disposed of.

Parties to act on the authenticated copy of this order.

(REVATI MOHITE DERE, J.)