

Anand

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

BAIL APPLICATION NO.1545 OF 2016

IN

CRIMINAL APPEAL NO.805 OF 2016

Nirmalabai alias Nimubai .Applicant
Charansing Fatfatwale

Vs.

The State of Maharashtra .Respondent

Mr.Ritesh Thobade, Advocate, for the Applicant
Ms V.S.Mhaispurkar, APP, for the Respondent -
State

CORAM : REVATI MOHITE DERE, J.

DATE : 21.12.2016

P.C.

. Vide Judgment and Order dated 05.12.2016 passed by the learned Addl. Sessions Judge, Solapur in S.C.No.261 of 2015, the Applicant has been convicted for the offence punishable under Section 304 part-II of the Indian Penal Code and has been sentenced to suffer R.I. for four years and to pay fine of Rs.5,000/-, in default to suffer further R.I. for two months. The Applicant has however been acquitted of the offences punishable under Sections 452 and 504

of the Indian Penal Code.

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 the Applicant is presently in custody and 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 Applicant was on bail pending the trial and has not abused and misused the liberty granted to her.

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 inform her 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.)