

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

Criminal Application [APPA] No.335 of 2016

in

Criminal Appeal No.174 of 2016

(Rohan Mahadeo Ghungad

vs.

The State of Maharashtra, through P.S.O. Hiwarkhed, Tal. Telhara, District Akola)

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

Court's or Judge's Orders

*Shri Anil Mardikar, Sr. Advocate with Shri S.G. Joshi, Advocate for the
Applicant/Appellant.
Mrs. Mrunal Naik, A.P.P. for the Non-Applicant/State.*

CORAM : S.B. SHUKRE, J.

DATE : 9th AUGUST, 2016.

Heard Shri Anil Mardikar, the learned Senior
Counsel for the appellant and Mrs. Mrunal Naik, the
learned A.P.P. for the State.

This application is very strongly opposed by the
learned A.P.P. for the State.

This appeal is admitted. It is seen from the
record of the case that there is a question involved in this
case which has a bearing upon the conscious possession of
this appellant.

Having regard to the prosecution case and the
defence of this appellant, I am of the view that the
appellant has made out an arguable case on the question

involved in this appeal and, therefore, the appellant could be released on bail during pendency of this appeal by suspending sentence of substantive imprisonment. Hence, the order.

1. The application is allowed.
2. The substantive sentence of imprisonment is suspended subject to payment of fine, if not paid so far, till the final disposal of the appeal and till that time, it is directed that the appellant be released on bail on his furnishing a P.R. Bond in the sum of Rs.20,000/- together with one solvent surety in the like sum before the trial Court.
3. If the fine amount has not been paid, it be paid within 15 days from the date of release of the appellant from the jail.

JUDGE

*sdw

C E R T I F I C A T E

I certify that this order uploaded is a true and correct copy of the original signed order.

Uploaded by: S.D. Waghmare
P.A. to the Hon'ble Judge.

Uploaded on : 09/08/2016