IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO.1586 OF 2017
IN
CRIMINAL APPEAL NO.118 OF 2017

Raosaheb Shankar Khande .. Applicant

Versus

The State of Maharashtra
and another .. Respondents

Mr.Rajendra G. Hange, Advocate for the applicant
Mr.K.N. Lokhande, APP for the respondent/State

CORAM : V.L.ACHLIYA, J.
DATED : 04.04.2017

P.C. :-

. The applicant has moved this application seeking suspension of sentence and release on bail during the pendency of the appeal on the grounds set out in detail in the memo of the appeal.

2. Heard learned counsel for the applicant and APP for the respondent/State and further perused the impugned judgment and order dated 06.03.2017 passed by the learned Sessions Judge and Special Judge, Beed in Special (Child Protection) Case No.36 of 2014.

3. Upon considering the submissions advanced, the nature of offence, sentence awarded by the trial Court and grounds raised in the appeal, I am of the view that pending disposal of the appeal the applicant deserves to be released on bail. During pendency of the trial the applicant was on bail. The trial Court has suspended the sentence to enable the applicant to prefer an appeal. The maximum sentence awarded is of one year. It may not be possible to immediately take up the appeal for final hearing. In case the substantive sentence is not suspended the appeal may become infrouctuous, therefore, I am inclined to pass the following order.

ORDER

I) Application is allowed.

II) Pending disposal of appeal the execution of substantive sentence awarded to the applicant stands suspended subject to deposit of fine and compensation.

III] Pending disposal of appeal the applicant namely Raosaheb Shankar Khande be released on bail on his furnishing bail in the sum of Rs.25,000/- with one surety in like amount on the following conditions.

a) The applicant shall mark his attendance before the Police Inspector, Police Station Pimpalner, Dist. Beed on every month of last day in between 10.00 am to 11.00 am. till final disposal of the appeal.

b) The applicant shall furnish the names and addresses of his 3 close relatives with phone numbers.

c) The applicant shall not cause threat to complainant and other prosecution witnesses.

d) In the event of change in address the applicant shall intimate concerned Police Station as well as this Court.

e) During pending of the appeal the applicant shall not involve in any criminal case.

IV) In the event of breach of any of the conditions, the bail granted to the applicant liable to be canceled.

V) Bail to be furnished before the trial Court. In case the bail is not furnished before the trial Court within two

weeks from the date of this order, the order of suspension of sentence stands re-called and canceled.

VI) The trial Court is directed to report the compliance of furnishing of bail within three weeks to this Court.

VII) The Police Inspector, Police Station Pimpalner, Dist. Beed is directed to submit the report of compliance of conditions of bail after every six months till final disposal of the appeal.

[V.L.ACHLIYA,J.]

VishalK/criapln1586.17