

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**CRIMINAL APPLICATION NO. 3226 OF 2017
IN
CRIMINAL APPEAL NO. 285 OF 2017**

Jajerao Devrao Munde ..APPLICANT
VERSUS
State of Maharashtra ..RESPONDENT

Mr. S.S. Thombre, Advocate for applicant
Mr. B.A. Shinde, A.P.P. for respondent

**CORAM : SANGITRAO S. PATIL, J.
DATE : AUGUST 21, 2017**

PER COURT :-

Heard the learned Counsel for the applicant
and the learned A.P.P.

2. The applicant has challenged his conviction and sentence for the offences punishable under Sections 7(1)(d) and 13(2) read with Section 13(1)(d) of the Prevention of Corruption Act, 1988. He has been sentenced to suffer rigorous imprisonment for four years and two years respectively for the offences besides the fine amount. The applicant has deposited

the fine amount in the Trial Court. The substantive sentences have been ordered to run concurrently.

3. The learned Counsel for the applicant submits that the applicant has challenged his conviction and sentence on various grounds. He is hoping for success in the appeal. Considerable time will be required to decide the appeal. The applicant was on bail during the trial.

4. The learned A.P.P. opposes the application. He submits that considering the serious nature of offences established against the applicant, he may not be enlarged on bail by suspending the sentence of imprisonment passed against him.

5. The maximum punishment inflicted against the applicant is rigorous imprisonment for four years. The applicant has challenged his conviction on various legal as well as factual grounds. He is hoping for success in the appeal. As the hearing of

the appeal would take considerable time and as the applicant was on bail during the trial, I think fit to suspend the sentence of imprisonment passed against the applicant during pendency of the appeal.

6. In the circumstances, I pass the following order:-

O R D E R

(i) The sentence of imprisonment passed against the applicant shall remain stayed during pendency of the appeal on his executing P.R. bonds in the sum of Rs.15,000/- (Rupees Fifteen Thousands Only) with a surety in the like amount.

(ii) The bail bonds shall be furnished before the Trial Court.

(iii) Criminal Application is disposed off.

**[SANGITRAO S. PATIL]
JUDGE**