

Anand

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

**CRIMINAL APPLICATION NO. 227 OF 2017
IN
CRI. REVISION APPLICATION NO. 219 OF 2017**

Wasim Yasin Shaikh .Applicant

Vs.

The State of Maharashtra & anr. .Respondents

Mr. Vijaykumar Mane, Advocate, for the Applicant
Mr. A. A. Palkar, APP, for the Respondent No. 1 – State

CORAM : A.S.GADKARI, J.

DATE : 11.12.2017

P.C.

. This is an Application for suspension of sentence and release of Applicant on bail during the pendency of the said Revision Application No. 219 of 2017. The Applicant was a juvenile accused at the time of his conviction under Section 376 r/w 511 of the Indian Penal Code. By a Judgment and Order dated 15.06.2013 passed by the learned Principal Magistrate, City Juvenile Justice Board, Mumbai, the Applicant was convicted under Section 376 r/w 511 of the Indian Penal Code. By the said Judgment and Order, the Applicant was directed to be released on probation of good conduct and be placed under the care of an institution namely Borstal School, Nashik for good behaviour and

well being of Applicant for a period of one year with a direction to provide him necessary vocational guidance as well as counselling during the said period. Cri. Appeal No. 397 of 2013 preferred by the Applicant has been dismissed by the learned Additional Sessions Judge, Greater Mumbai by its Judgment and Order dated 21.01.2017 and the Applicant is taken into custody and sent to the said Borstal School for completing the said period of probation of good conduct.

2. The learned counsel for the Applicant submitted that the Applicant has already undergone a period of eight months i. e. from March, 2017 till date in the said Borstal School.

In view of the above, I am inclined to release the Applicant on bail.

Hence, the following Order:

(i) The Applicant be released on bail on his furnishing PR bond of Rs. 25,000/- with one or two solvent local sureties in the like amount.

3. Application is allowed in the aforesaid terms.

(A.S.GADKARI, J.)