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

***CRIMINAL APPLICATION NO.796 OF 2017
(For Bail/Suspension of Sentence)***

***IN
CRIMINAL APPEAL NO.491 OF 2017***

Vitthal Namdeo Bhalerao

...Applicant

Versus

The State of Maharashtra

...Respondent

Mr.C.P.Sengaonkar, for the Applicant.

Ms.P.P.Shinde, A.P.P for the Respondent-State

CORAM : REVATI MOHITE DERE, J.

DATE : 14th JUNE, 2017

P.C. :

1. Heard learned counsel for the parties.
2. By this application the applicant seeks his enlargement on bail, pending the hearing and final disposal of his appeal.
3. The applicant vide Judgment and Order dated 4th May, 2017, passed by learned District Judge-3 and Additional Sessions Judge, Niphad,

District – Nashik, has been convicted and sentenced as under:-

- for the offence punishable under Section 7 of Prevention of Corruption Act, 1988 to suffer R.I for 2 years and to pay fine of Rs.2,000/- in default to suffer S.I. for 3 months;
- for the offence punishable under Section 13(1)(d) r/w 13(2) of Prevention of Corruption Act, 1988 to suffer R.I for 2 years and to pay fine of Rs.3,000/- in default to suffer S.I. for 4 months.

(Both the sentences are directed to be run concurrently.)

4. Learned Counsel for the applicant states that the applicant was on bail, pending trial and that he has not abused or misused the liberty granted to him. He submitted that the applicant's sentence was suspended after his conviction, by the trial Court. The said statement is not disputed by the learned A.P.P.

5. Perused the papers. The Appeal has been admitted by a separate order passed today and the same is not likely to come up for the hearing in the immediate near future. It is not in dispute that the applicant was on bail pending trial and that he has not abused or misused the liberty

granted to him. The sentence awarded is a short term sentence.

6. Considering the aforesaid, the applicant's sentence is suspended and he is enlarged on bail, pending the hearing and final disposal of his Appeal, on the following terms and conditions :

ORDER

(i) The Applicant be enlarged on bail on furnishing P.R. Bond in the sum of Rs.15,000/- with one or two sureties in the like amount.

7. The Application is allowed in the aforesaid terms and is accordingly disposed of.

8. All concerned to act on the authenticated copy of this order.

(REVATI MOHITE DERE, J.)