

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

**CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO.1544 OF 2016
IN
CRIMINAL APPEAL NO.804 OF 2016**

Abasaheb Sopanrao Jachak)...APPLICANT

V/s.

THE STATE OF MAHARASHTRA)...RESPONDENT

Mr. Satyam Nimbalkar with Hrishikesh Ghoshpade, Advocates for the Applicant.

Mr. S.V.Gavand, APP for the Respondent - State.

CORAM : A. M. BADAR, J.

DATE : 5th JANUARY 2017.

P.C. :

Perused the impugned judgment and order dated 24.10.2016 passed by the learned Additional Sessions Judge, Baramati. Applicant-Accused by the said judgment is convicted for the offence punishable under Section 29(b) of the Arms Act, 1959 and he is sentenced to suffer RI for two years and to pay fine of Rs.2,000/- in default to undergo further SI for two years. It is held that short gun used for the commission of crime was belonging to

appellant-accused and though the applicant-accused is licensed user of the same short gun, he had permitted the co-accused to use the same without taking due care. Considering the nature of offence alleged against the applicant-accused and is held to be proved by the learned Trial Court as well as the fact that short sentence is imposed upon the applicant-accused, he deserves to be released on bail and, therefore, the order. Application is allowed. Substantive sentence of imprisonment imposed on the applicant-accused is suspended and he is directed to be released on bail on executing PR bond in the sum of Rs.15,000/- and on furnishing surety in the like amount.

2 Application is disposed of accordingly.

(A. M. BADAR, J.)