

FARAD CONTINUATION SHEET No.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

CRIMINAL APPLICATION (APPA) NO.512/2017 IN CRIMINAL APPEAL NO. 302/2017

(TARACHAND @ BABLU DHANRAJ CHOPADE (IN JAIL) **VERSUS** THE STATE OF MAHARASHTRA,
 THR. PSO, PS KONDHALI, NAGPUR)

 Office Notes, Office Memoranda of Coram,
 appearances, Court's orders of directions
 and Registrar's orders

Court's or Judge's orders

 Shri M.B. Naidu, counsel for the applicant.
 Shri A.M. Deshpande, A.P.P. for the non-applicant.

CORAM : SMT. VASANTI A NAIK AND
M.G. GIRATKAR, JJ.

DATE : SEPTEMBER 01, 2017.

By this application, the applicant seeks the suspension of the sentence and release of the applicant on bail during the pendency of the appeal.

On a reading of the judgment of the trial Court and perusal of the evidence of the eye witnesses, we *prima-facie* find that there are several contradictions in the evidence of the eye witnesses. Also, the applicant was on bail before the trial Court and he has not misused the liberty. It is not likely that the appeal would be heard in the near future.

Hence, the prayer made in the application is granted. By suspending the sentence, we direct that the accused be released on bail on the same terms and conditions on which he was released on bail by the trial Court. The criminal application is allowed and disposed of.

JUDGE

JUDGE