

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

CRIMINAL APPLICATION (APPA) NO. 662/2017 IN CRIMINAL APPEAL NO. 392/2017

(KEWALRAM NARAYAN BAWANKAR (IN JAIL) **VERSUS** THE STATE OF MAHARASHTRA, PSO PS
 DESAIGANJ, GADCHIROLI)

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

Court's or Judge's orders

 Shri A.C. Jaltare, counsel for the applicant.
 Shri A.M. Joshi, A.P.P. for the non-applicant.

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

DATE : SEPTEMBER 07, 2017.

Heard. We have perused the judgment of the trial Court as also the Record & Proceedings.

The applicant was on bail before the trial Court and it appears that he has not misused the liberty. It *prima-facie* appears that though the applicant was not named in the first information report, whereas the other accused were, the only evidence against the applicant is that he was identified by P.W.s 10 and 12 in the test identification parade.

In the circumstances of the case, by allowing the criminal application, we suspend the sentence and direct that the applicant 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 in the aforesaid terms and disposed of.

JUDGE

JUDGE