

Vidya Amin.

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

**CRIMINAL APPLICATION No. 617 OF 2018
IN
CRIMINAL REVISION APPLICATION No. 655 OF 2018**

1. Anil Tukaram Narute		
2. Sanjay Devappa Bhanuse	...	Applicants
VS.		
The State of Maharashtra	...	Respondent

Mr. Rushikesh Patil i/b. Tushar L. Pimple, Advocate for the applicants.

Mr. A.R. Patil, APP for the respondent/State.

CORAM: Mrs.MRIDULA BHATKAR, J.

DATED: 11th December, 2018

P.C. :

Upon mentioning, taken on production board.

2. This Application is moved for bail and suspension of sentence. By the judgment and order dated 3rd November, 2008 passed by the learned Judicial Magistrate First Class, Miraj in R.C.C. No. 5 of 2005, the applicants/accused is convicted for the offences punishable under sections 380 and 451 of Indian Penal Code and are sentenced to suffer R.I. for two years and to pay fine of Rs.1,000/- each, i/d. to suffer R.I. for one month. The said judgment is challenged by the petitioners in Criminal Appeal No.

304 of 2008, which was dismissed by judgment and order dated 4th October, 2018 passed by the Additional Sessions Judge-3, Sangli. Both the accused were taken in jail.

3. The learned counsel for the applicant submitted that the applicants/accused were on bail throughout the trial and also during the Appeal period. He submitted that it is a bailable offence and the applicants have good case on merits. He prays that the applicants be released on bail and sentence be suspended.

4. Learned APP submits to the order of the Court.

5. Considering the submissions made by the learned counsel for the applicant and the nature of the offence, the Application is allowed on the following terms and conditions:

- (i) The sentence is hereby suspended till the hearing of this Revision Application;
- (ii) The applicants/accused shall be released on bail on the furnishing P.R. Bond in a sum of Rs.15,000/- each with one or two sureties in the like amount;
- (iii) The applicants/accused shall not jump the bail;

- (iv) The applicants/accused shall make themselves available at the time of hearing of Revision Application;
- (v) The applicants shall not leave the country without permission of this Court.

6. Criminal Application is disposed of on above terms.
7. Place the Criminal Revision Application for admission on 12th February, 2019.

(MRIDULA BHATKAR, J.)