

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.221 OF 2018

IN

CRIMINAL APPEAL NO.146 OF 2018

Shabbir Rasul Ahmed ... **Applicant**

V/s.

The State of Maharashtra ... **Respondent**

.....

Mr.Mahendra N. Sandhyanshiv with Mr.Gaurang C. Jhaveri,
Advocate for the Applicant.

Mr.Prashant Jadhav, APP for the Respondent/State.

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CORAM : A.M.BADAR J.

DATED : 16th FEBRUARY 2018.

P.C. :

1 This is an application for release of the applicant/accused on bail after his conviction for the offence punishable under Section 354B of the Indian Penal Code. The applicant has been sentenced to suffer simple imprisonment for three years apart from imposition of fine of Rs.1000/- and default sentence of six months for the offence punishable under Section 354B of the Indian Penal Code by the learned Additional Sessions Judge, Malegaon.

2 Heard the learned Advocate appearing for the applicant/accused as well as the learned Additional Public Prosecutor for the respondent/State. Perused the impugned Judgment and Order of conviction and resultant sentence.

3 Short sentence of three years imposed on the applicant has already been suspended by the learned trial Court vide Order dated 17/01/2018. The applicant was on bail during trial. There is nothing on record to show that he has misused his liberty. Therefore, the Order :

ORDER

- (i) The application is allowed.
- (ii) The substantive sentence of imprisonment imposed on the applicant/accused is suspended and he is directed to be released on bail in the sum of Rs.20,000/- and on furnishing one or two surety in the like amount.
- (iii) As a condition of this Order, the applicant should not contact the First Informant or the victim of the crime in question in any manner and he should not repeat the commission of similar offence in future.
- (iv) The application is disposed of accordingly.

(A.M.BADAR J.)