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

**CRIMINAL APPLICATION NO. 295 OF 2018
IN
CRIMINAL APPEAL NO. 197 OF 2018
WITH
CRIMINAL APPLICATION NO. 296 OF 2018
IN
CRIMINAL APPEAL NO. 197 OF 2018**

Nayana Hitesh Kareliya

..Applicant

Vs

The State of Maharashtra

..Respondent

Mr. Arun Rajput i/b Ms. Pracheta Rathod for applicant.

Ms. Anamika Malhotra, APP for State.

CORAM : A.S.GADKARI, J.

DATE : 27th FEBRUARY 2018.

P.C.:

1] These are the applications for suspension of sentence and releasing the applicant on bail respectively.

2] The applicant in both applications is the accused No.2 in Sessions Case No.289 of 2007. By the Judgment and Order dated 31st January 2018 passed by the Additional Sessions Judge & Special Judge under MCOC/TADA/POTA/NIA/SUSCA Act, Greater Mumbai in Sessions Case No.289 of 2007, the applicant is convicted under Sections 255, 260, 465, 467, 468, 471, 420 read with 120(B) and 34 of the Indian Penal Code.

3] The maximum sentence imposed upon the applicant is three years of rigorous imprisonment with a total fine of Rs.19,000/-. The learned Counsel for the applicant on instructions submitted that the applicant has already deposited the fine amount in the Registry of the Trial Court. As the maximum sentence imposed upon the applicant is three years rigorous imprisonment, I am inclined to release the applicant on bail on following conditions:

(i) The applicant be released on bail on his furnishing PR bond in the sum of Rs.25,000/- with one or two solvent local sureties in the like amount.

(ii) After his release from jail, the applicant shall attend the Trial Court on once in three months i.e. 1st of Monday of every third Month between 11.00 a.m to 2.00 p.m and mark his presence. If the first Monday of the said month is a holiday, the applicant shall mark his presence in the Trial Court on the immediate next day.

(iii) Applicant shall not tamper with evidence and/or influence the witnesses.

4] Both applications are allowed in the aforesaid terms.

(A.S.GADKARI, J.)