

*Nalawade*FARAD CONTINUATION SHEET No.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 535 OF 2018
in
CRIMINAL APPEAL NO.374 of 2018

Anand Mahdavi Ashtapurte vs. The State of Maharashtra

Office Notes, Office Memorandum of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr. Sudeep Pasbola with with Bhavesh Thakur i/by Rahul Arote for the Applicant.

Mr.V.V.Gangurde, APP for the State.

CORAM :A.S.GADKARI, J.

DATE : 3rd April, 2018

P.C.

1. This is an application for suspension of sentence and for releasing the applicant on bail.
2. The applicant is convicted under Section 304 (II) read with Section 109 of the Indian Penal Code and is sentenced to suffer rigorous imprisonment for three years by the learned Additional Sessions Judge-1, Thane in Sessions Case No. 129/1999 by its Judgment and Order dated 22.2.2018.
3. The learned counsel for the applicant submitted that the applicant has been released on bail by the Trial Court under Section 389(3) of Cr.P.C. by an order dated 22.2.2018.
4. As the maximum sentence imposed upon the applicant is

three years of rigorous imprisonment and the possibility of appeal being heard on its own merits in near future is remote, I am inclined to release the applicant on bail.

Hence, the following order.

- a) During the pendency of the appeal the substantive sentence imposed upon the applicant is suspended.
- b) During the pendency of the appeal, the applicant be released on bail in Sessions Case No 129/1999 on his furnishing PR bond of Rs.25, 000/- with one or two solvent local sureties in the like amount.
- c) During the pendency of the appeal, the applicant shall mark his presence before the Trial Court on every first Monday of the month between 11.00 to 2.00 p.m. If the said first Monday is Court holiday/public holiday the applicant shall mark his presence on immediate next date.
- d) Application is allowed in the aforesaid terms.

(A.S.GADKARI, J.)