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

**CRIMINAL APPLICATION NO. 542 OF 2018
IN
CRIMINAL APPEAL NO. 386 OF 2018**

Ajit Shivaji Gorad

..Applicant.

Vs

The State of Maharashtra

..Respondent

Mr. Vaibhav R. Gaikwad for applicant.

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

CORAM : A.S.GADKARI, J.

DATE : 20th APRIL 2018.

P.C.:

1] This is an Application for suspension of sentence and for releasing the Applicant on bail.

2] The Applicant is the Original Accused No.3 in Special Case No. 61 of 2015.

The Applicant has been convicted under Section 420 read with Section 120-B of the Indian Penal Code and is sentenced to suffer maximum rigorous imprisonment for 2 years and to pay a fine of Rs.25,000/- (Rupees Twenty Five Thousand only), by the learned Special Judge, CBI-ACB, Pune in Special Case No. 61 of 2015 by its Judgment and Order dated 22nd

February, 2018.

3] The learned counsel for the Applicant submitted that, the Applicant has already deposited the fine amount in the Registry of the Trial Court. He further submitted that, the Applicant has been released on bail by the Trial Court under Section 389 (3) of the Cr.P.C. by an Order of even date.

4] As the Applicant is sentenced to suffer maximum rigorous imprisonment for two years and the possibility of hearing of Appeal on merits in the 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 hereby suspended.
- b) During the pendency of the Appeal, the Applicant is released on bail in Special Case No. 61 of 2015 on his furnishing PR bond of Rs.25,000/- (Rupees Twenty Five Thousand only) with one or two solvent local sureties in the like amount.
- c) During the pendency of the Appeal, the Applicant shall

attend and mark his presence before the Trial Court on every first Monday of the month between 11.00 a.m. to 2.00 p.m.. If the said first Monday is a Court holiday/Public holiday, the Applicant shall mark his presence on the immediate next day.

5] Application is allowed in the aforesaid terms.

(A.S.GADKARI, J.)