

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

**CRIMINAL APPLICATION NO.781 OF 2017
IN
CRIMINAL APPEAL NO.193 OF 2018**

Mr. Hussain Abdul Hamid Sayyad

..Applicant

Vs

The State of Maharashtra

..Respondent

Mr. B.M. Shaikh a/w. Mr. K.B. Tabrez for the Applicant.

Ms. R.M. Gadhvi, APP for the Respondent State.

CORAM : A.S.GADKARI, J.

DATE : 14th MARCH 2018.

P.C.:

1. This is an application for suspension of sentence and releasing the applicant on bail.
2. The applicant is convicted for an offence punishable under Sections 363, 366 and 376 of the Indian Penal Code and has been sentenced to suffer maximum imprisonment for seven years and to pay a total fine of Rs.10,000/- by the learned Spl.Judge, City Civil & Sessions Court, Gr.Mumbai in Sessions Case No.345/2014 by its judgment and order dated 06.04.2016.
3. The learned counsel for the applicant submitted that the applicant has already deposited the entire fine amount with the Registry of the Trial Court.

4. The maximum sentence imposed upon the applicant is seven years and there is a remote possibility of appeal being heard on merits in near future. In view thereof, I am inclined to release the applicant on bail.

Hence, the following order.

(a) The applicant be released on bail in Sessions Case No.345/2013 arising out of C.R.No.47 of 2004 registered with Colaba Police Station, Mumbai on his furnishing PR bond of Rs.25,000/- with one or two solvent local sureties in the like amount.

(b) After his release from Jail, the applicant shall attend the concerned Police Station on every first Monday of the month between 11.00 a.m. to 1.00 p.m. If the said Monday comes on a holiday or non-Court working day, he shall attend the Court on the immediate next working day.

5. Application is allowed in the aforesaid terms.

(A.S.GADKARI, J.)