

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.831 OF 2018

IN

CRIMINAL APPEAL NO.606 OF 2018

Nilesh Baldas Bhosale & Anr. ... **Applicants**

V/s.

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

....

Mr.Nitesh J. Mohite i/b. Mr.Satyavrat P. Joshi, Advocate for the Appellants/Applicants.

Mr.A.R.Kapadnis, APP for the Respondent/State.

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CORAM : A.M.BADAR J.

DATED : 5th JUNE 2018.

P.C. :

1 This is an application for suspension of sentence and releasing the applicants on bail during pendency of the appeal. The applicants have been convicted of offence punishable under Section 326 read with Section 34 of the Indian Penal Code and they both are sentenced to suffer rigorous imprisonment for three years apart from payment of fine of Rs.10,000/- by each of them.

2 Heard the learned Advocate appearing for the applicants/accused. He argued that substantive sentence of imprisonment imposed on the applicants has already been

suspended by the learned trial Court and the applicants have already deposited the fine amount.

3 The learned Additional Public Prosecutor opposed the application.

4 Considering the fact that the substantive sentence of imprisonment has already been suspended by the learned trial Court and as they have already deposited the fine amount, I see no reason to deny bail to the applicants. Therefore, the Order.

ORDER

- i) The application is allowed.
- ii) The substantive sentence of imprisonment imposed on the applicants is suspended and they are directed to be released on bail on executing P. R. Bond of Rs.15,000/- each and on furnishing surety in the like amount by each of them.
- iii) As a condition of this Order, the applicants should not contact the prosecution witnesses as well as the alleged victim of the crime in question in any manner and they should not commit similar offence in future.
- iv) The application is accordingly disposed of.

(A.M.BADAR J.)