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

**CRIMINAL APPLICATION NO. 348 OF 2018
IN
REVISION APPLICATION NO. 359 OF 2018**

Baburao Pandurang Hire & Ors

..Applicants

Vs

The State of Maharashtra.

..Respondent

Mr. L.R. Odhekar for applicants.

Mr. A.R. Patil, APP for State.

**CORAM : A.S.GADKARI, J.
DATE : 3rd September 2018.**

P.C.:

1] This is an application for suspension of sentence and for releasing the applicants on bail.

2] Heard the learned Counsel for the applicants and the learned APP. Perused the record.

3] The applicants are convicted under Section 307 read with 149 of the Indian Penal Code and is sentenced to suffer rigorous imprisonment for five years and to pay a fine of Rs.2000/-each, in default of payment of fine to further suffer simple imprisonment for two months by the learned Assistant Sessions Judge, Nashik in Sessions Case No.160 of 2007, by its

Judgment and Order dated 10.12.2008.

Criminal Appeal bearing No. 245 of 2008 preferred by the applicant has been dismissed by the learned Additional Sessions Judge-8, Nashik by its Judgment and Order dated 11.6.2018.

4] The record indicates that, the applicants were on bail during the pendency of the trial so also in appeal. As the possibility of Revision being heard on merits in near future is remote, I am inclined to suspend the sentence and release the applicants on bail.

Hence the following Order:

(i) During the pendency of the Revision, the substantive sentence imposed upon the applicants is suspended.

(ii) During the pendency of the Revision, the applicants be released on bail on their furnishing PR bond in the sum of Rs.20,000/- each with one or two solvent local sureties in the like amount.

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

5] Application is allowed in the aforesaid terms.

Anil
Chandrakant
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(A.S.GADKARI, J.)