

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.1395 OF 2018

IN

CRIMINAL APPEAL NO.1008 OF 2018

Kalesab @ Aman Bashirkhan Pinjari... **Applicant**
V/s.

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

.....

Mr.Sudhir I.Nandode, Advocate for the Applicant.

Mr.P.H.Gaikwad-Patil, APP for the Respondent/State.

....

CORAM : A.M.BADAR J.

DATED : 23rd AUGUST 2018.

P.C. :

1 This is an application by the convicted applicant for seeking enlargement on bail. He is convicted for the offences punishable under Sections 354-D and 506 of the Indian Penal Code as well as under Section 12 of the Protection of Children from Sexual Offences Act. On each count, he is sentenced to suffer rigorous imprisonment for three months apart from direction to pay fine and to undergo default sentence on failure to pay fine. Substantive sentences are directed to run concurrently by the learned trial Court.

2 Heard the learned Advocate appearing for the applicant as well as the learned Additional Public Prosecutor appearing for the respondent/State.

3 Short sentence of imprisonment for three months is imposed on the applicant and the same had already been suspended by the learned trial Court. During pendency of the trial, the applicant was on bail and he has not misused his liberty. The appeal filed by him may not be heard within the short period. The applicant has already deposited the fine amount. Hence, the Order :

ORDER

- (i) The application is allowed
- (ii) The substantive sentence of imprisonment imposed on the applicant/accused is suspended and he is directed to be released on bail on his executing P. R. Bond of Rs.15,000/- and on furnishing surety in the like amount.
- (iii) As a condition of this Order, the applicant/accused should not contact the victim child or her relatives in any manner and he should not repeat commission of similar offence in future.
- (iv) The application is disposed of accordingly.

(A.M.BADAR J.)

Raju
Dattatraya
Gaikwad

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Gaikwad RD