

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**

**CRIMINAL APPELLATE JURISDICTION**

**CRIMINAL APPLICATION NO.1410 OF 2017**

**IN**

**CRIMINAL APPEAL NO.846 OF 2017**

Babanrao Ramrao Nikam & Ors. ... **Applicants**

V/s.

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

.....

Mr.Sachin S. Padaye i/b. Mr.Girish R. Agarwal, Advocate for the Applicants.

Mr.S.V.Gavand, APP for the Respondent/State.

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**CORAM : A.M.BADAR J.**

**DATED : 21<sup>st</sup> FEBRUARY 2018.**

**P.C. :**

1 This is an application for suspension of sentence and releasing the applicants/accused on bail during pendency of the appeal filed by them which has already admitted for final hearing by this Court.

2 The applicants/accused are convicted of offences punishable under Sections 143, 147, 148, 307, 323 read with Section 149 of the Indian Penal Code and they are sentenced

differently on each count. The highest amongst them being rigorous imprisonment for two years for the offence punishable under Section 307 read with Section 149 of the IPC.

3            Heard the learned Advocate appearing for the applicants/accused. He pointed out the Order dated 11<sup>th</sup> October 2017 passed by this Court and submitted that the applicants/accused are already on interim bail granted by this Court and the said order needs to be confirmed.

4            The learned Additional Public Prosecutor opposed the application.

5            I have carefully considered the rival submissions and also perused the Order dated 11<sup>th</sup> October 2017 passed by the coordinate Bench of this Court (Coram : Smt.Anuja Prabhudesai, J.). The liberty of the applicants/accused is already protected by this Order by which ad-interim bail came to be granted to all applicants.

6            In this view of the matter, the application is disposed of by confirming the Order dated 11<sup>th</sup> October 2017 passed by this Court on same terms and conditions.

**(A.M.BADAR J.)**