

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

CRIMINAL APPLICATION NO.1735 OF 2017

IN

CRIMINAL APPEAL NO. 1070 OF 2017

Vishnu Prakash Patole

...Appellant

Versus

The State of Maharashtra and anr.

...Respondents

Mr.Paras Yadav i/b Adv.Vipin Bidkar for the appellant

Mr. Prashant Jadhav, APP for the State.

CORAM: A.M. BADAR, J.

DATED: 11th JANUARY 2018

PG:-

1. This is an application for suspension of sentence and releasing the applicant/accused on bail during pendency of the appeal filed by him.
2. Heard the learned advocate appearing for the applicant/accused as well as the learned APP appearing for the State.

3. The learned advocate for the applicant has tendered on record copy of the order dated 3.11.2017 passed by the learned Additional Sessions Judge, Pune suspending the substantive sentence of imprisonment till the appeal period of one month.
4. Short sentence of imprisonment is imposed on the applicant/accused. For the offence punishable under Section 354-(a)(i) of the Code of Criminal Procedure, he is sentenced to suffer Rigorous Imprisonment for 6 months and the offence punishable under Section 12 of the POCSO Act he has been sentenced to suffer Rigorous imprisonment for 6 months. Substantive sentences are directed to run concurrently. The applicant was on bail. Even after his conviction, he is directed to be released on bail by the learned Special Judge by invoking the charge under Section 389 of the Code of Criminal procedure. The appeal filed by the

applicant could not be admitted within a period of 6 months. Therefore 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 in the sum of Rs.15,000/- and on furnishing surety in the like amount.
- iii) As a condition of this order, the applicant should not contact the alleged minor victim of the crime in question or her relatives in any manner.
- iv) The application is disposed of accordingly.

(A.M. BADAR, J)