

Vidya Amin.

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

**CRIMINAL APPLICATION No. 645 OF 2018
IN
CRIMINAL REVISION APPLICATION No. 674 OF 2018**

Digambar Raosaheb Shinde ... Applicant
vs.
The State of Maharashtra ... Respondent

Mr. Kuldeep S. Patil, Advocate for the applicant.
Mr. A.R. Patil, APP for the respondent/State.

**CORAM: Mrs.MRIDULA BHATKAR, J.
DATED: 17th December, 2018**

P.C. :

Upon mentioning, taken on production board.

2. This Criminal Application is moved by the applicant/accused for suspension of sentence and for granting bail.

3. The applicant/accused is convicted under sections 279, 337 and 338 of the Indian Penal Code and is sentenced to suffer R.I. for three months under each count along with fine by the judgment and order dated 22nd August, 2011 passed by the learned Judicial Magistrate First Class, Uran in Criminal Case No. 260 of 2010. Against this order, the applicant/accused filed Criminal Appeal No.

126 of 2011 which was dismissed by judgment and order dated 5th December, 2018 passed by the learned Sessions Judge, Raigad, Alibag and thereby confirmed the judgment and order passed by the learned Judicial Magistrate First Class, Uran.

4. The learned counsel for the applicant/accused submitted that the offences are bailable and the applicant/accused was on bail throughout the trial and also during the appeal period. He submitted that the applicant/accused has good case on merits. The learned counsel submitted prays that applicant is not arrested and his bail be continued on the same terms and conditions.

5. Learned APP submits to the order of the Court.

6. In view of the submissions and considering the nature of the offence, Application is allowed on the following terms and conditions:

- (i) The sentence is suspended till the hearing of Revision Application;
- (ii) The applicant/accused shall be released on bail on furnishing P.R. Bond in the sum of Rs.10,000/- with

one surety in the like amount;

- (iii) The applicant/accused shall not jump the bail;
- (iv) The applicant/accused shall make himself available at the time of hearing of Revision Application;
- (v) The applicant/accused shall not leave the country without the prior permission of the Court.

7. Criminal Application is disposed of accordingly.

8. Place the Criminal Revision Application for admission on 11th February, 2019.

(MRIDULA BHATKAR, J.)