

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

Criminal Appeal No.352/2018

(Mr. Ramkrishna S/o Namdeorao Dandale Vs. State of Maharashtra)

Office Notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's orders

Shri R. Vyas, Advocate for appellant.
Shri I.J. Damle, A.P.P. for State.

CORAM : MRS. SWAPNA JOSHI, J.

DATED : 13.06.2018.

Appeal is admitted.

Call for R. & P.

Criminal Application (APPA) No. 498/2018

The appellant has filed the application for suspension of sentence and grant of bail.

The appellant/applicant was convicted by the learned Additional Sessions Judge, Akola in Sessions Trial No. 35/2013 for the offences punishable under Sections 294, 504 and 509 of Indian Penal Code and under Section 3(1)(X) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

Heard both the sides. The learned advocate for the appellant contended that the appellant was already on bail during the course of trial and sentence was suspended by the learned Additional Sessions Judge. He further submitted that the applicant has also deposited the fine amount of Rs. 19,000/-.

Considering the nature of offences and the allegations made against the accused and considering appellant was already on

bail during the course of trial, the following order is passed:-

ORDER

- (i) Criminal Application No. 498/2018 is allowed.
- (ii) The substantive jail sentence imposed against the applicant by the learned Additional Sessions Judge, Akola in S.T. No. 35/2013 dated 10.05.2018 shall remain suspended during pendency of the present appeal.
- (iii) The applicant shall be released on bail by executing fresh bond of the same amount as in the trial Court.
- (iv) The learned Judge before whom the bail bonds will be executed shall ensure that before execution of the bail bonds, the entire fine amount is deposited by the applicant.
- (v) The Applicant shall remain personally present before this Court at the time of final hearing of the appeal.

The application stands disposed of.

JUDGE