

Vidya Amin.

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

**CRIMINAL APPLICATION NO. 119 OF 2019
IN
CRIMINAL REVISION APPLICATION NO. 115 OF 2019**

Rahul Baburao Powar ... Applicant
vs.
The State of Maharashtra ... Respondent

Mr. Rushikesh G. Patil, Advocate for the applicant.
Mr. A.R. Patil, Addl. P.P. for the respondent/State.

**CORAM: Mrs.MRIDULA BHATKAR, J.
DATED: 4th March, 2019.**

P.C. :

Upon urgent mentioning, taken on production board.

2. The Criminal Application is moved by the applicant/accused for suspension of the sentence and also for bail pending the Criminal Revision Application. By the judgment and order dated 30th July, 2015 passed by the learned Judicial Magistrate First Class, Peth Vadgaon, District Kolhapur in SCC No. 653 of 2012, the applicant/accused was convicted for the offences punishable under sections 279, 304-A of Indian Penal Code and and section 184, 134(1)(b) r/w. 187 of Motor Vehicles Act and the the maximum sentence awarded is to suffer R.I. three months and fine. The said

judgment and order was confirmed by the learned Additional Sessions Judge, Kolhapur in Criminal Appeal No. 144 of 2015 by the judgment and order dated 26th February, 2019.

3. The learned Counsel for the applicant submitted that it is a bailable offence. Further, the applicant/accused was on bail throughout the trial and also during the appeal. He submitted that the applicant was taken in custody on 26th February, 2019. Hence, the learned counsel prays that sentence be suspended and bail be granted to the applicant/accused.

4. Learned Prosecutor is present and submits to the orders of the Court.

5. In view of the submissions of the learned Counsel and also as there is no chance that the Revision Application will be heard in near future, the application is allowed on the following terms:

- i) The impugned sentence is suspended pending the hearing the Criminal Revision Application;
- (ii) The applicant/accused shall be released on bail upon furnishing a P.R. Bond in the sum of Rs.15,000/- with one or

two sureties in the like amount;

iii) The applicant/accused shall make himself available at the time of hearing of Criminal Revision Application;

(iv) The applicant/accused shall not jump the bail

6. Criminal Application stands disposed of accordingly.
7. Parties to act upon the authenticated copy of this order.
8. Place Criminal Revision Application on 1st August, 2019.

(MRIDULA BHATKAR, J.)