

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, AT NAGPUR.**

CRIMINAL APPLICATION (APPA) NO.204 OF 2020

IN

CRIMINAL APPEAL NO.12 OF 2020

(Shakil s/o Jabbar Sheikh ..vs.. State of Maharashtra, through its PSO, PS Dhanora, District
Gadchiroli)

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

Court's or Judge's orders

Shri R.R. Vyas, Counsel for the applicant/appellant,
Shri H.D. Dubey, Addl.P.P. for the non-applicant.

CORAM : ROHIT B. DEO, J.

DATED : 02-06-2020

Hearing was conducted through video conferencing and the learned Counsel agreed that the audio and visual quality was proper.

2. The appellant is convicted for offences punishable under Sections 307, 353 and 186 of the Indian Penal Code and the sentence imposed is seven years for offence punishable under Section 307 of the Indian Penal Code and for lesser term for the other offences.

3. The appellant is in custody since October, 2019 since he did not fulfill the conditions of bail and failed to appear in the trial Court.

4. Be that as it may, the role attributed to the appellant is assault with the aid of brick. I have perused the evidence of the medical practitioner who issued the M.L.C.

5. Considering the material on record and the fact that particularly in the prevailing scenario it may not be possible to hear criminal appeals early, I am inclined to suspend the substantive sentence and to release the accused on bail. However, since the appellant, for whatever reasons, did not appear in the trial Court on the dates of hearing, it would be necessary to impose strict conditions.

6. The substantive sentence is suspended.

7. The applicant is released on bail on furnishing personal bond of Rs.50,000/- with a solvent surety of like amount. However, the surety may be furnished in four weeks from release.

8. The appellant shall report at Police Station Dhanora, District Gadchiroli on the first Monday of every month and mark attendance. It is made abundantly clear that if this condition is breached, this Court may seriously consider cancellation of bail.

9. The appellant shall provide his current address and telephone numbers etc. to the Police Station Officer, Dhanora Police Station, District Gadchiroli.

JUDGE