

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**CRIMINAL APPLICATION NO. 1198 OF 2021
IN
CRIMINAL APPEAL NO. 293 OF 2021**

Yadav Rama Ibitdar

..APPLICANT

VERSUS

State of Maharashtra

..RESPONDENT

....
Mr. G.R. Ingole, Advocate for applicant
Mr. S.N. Morampalle, A.P.P. for respondent - State
....

**CORAM : R.G. AVACHAT, J.
DATED : 29th JUNE, 2021**

PER COURT :

1. Heard.

2. The appellant/applicant has been convicted for the offence punishable under Section 307 of the Indian Penal Code and sentenced to suffer rigorous imprisonment for ten years. He was an under trial prisoner. So far, he has undergone sentence of four years and two months. It is the case of the appellant/applicant that the victim/injured had illicit relationship with his wife and therefore, the incident might have taken place.

3. Since the appellant/applicant has been behind the bars for little over four years and the appeal is not likely to be heard in near future, I am inclined to allow the application as under :-

ORDER

- (i) Criminal application is allowed in terms of prayer clause (B).
- (ii) Pending the appeal, the substantive sentence of imprisonment imposed by the trial Court is suspended.
- (iii) The applicant be released on bail on his executing P.R. bond in the sum of Rs.15,000/- (Rupees Fifteen Thousand) with one surety in the like amount on the condition that he shall not enter village Mugaon, Tq. Naigaon, Dist. Nanded for a period of one year.
- (iv) Bail before the trial Court.

(R.G. AVACHAT, J.)

SSD