

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

927 CRIMINAL APPLICATION NO. 1738 OF 2021 IN
APEAL/390/2021

SK. SOHAIL S/O. SK. MOHEMMAD
VERSUS
THE STATE OF MAHARASHTRA

Mr.A.B. Ghule Patil and Mr. D.M. Wagh, Advocate for the
applicant.

Mr.R.B. Bagul, APP for the respondent/State.

CORAM : SURENDRA P. TAVADE, J.
DATED : 01.10.2021

PC :-

01. This is an application for bail and suspension of sentence during the pendency of the appeal. The appellant was convicted for the offence punishable under sections 354-A(i), 354-D, 341, 504, 506 of the Indian Penal Code and sections 7 r/w 8 of the POCSO Act and sentenced to suffer rigorous imprisonment for two years under each section. He is also sentenced to suffer rigorous imprisonment for three years for the offence punishable under section 7 and 8 of the POCSO Act. He is also directed to pay fine. The fine is already deposited in the Trial Court. It is contended that the applicant was on bail during the pendency of trial. Similarly, after the conviction he was directed to be released on bail for a period of one months. But, thereafter he was

arrested and committed to jail. It is contended that the applicant never abused his liberty while on bail.

02. Perused the judgment and order. The applicant was convicted for the offence punishable under section 7 r/w 8 of the POCSO Act and he is sentenced to suffer rigorous imprisonment of three years. Hearing of the appeal may take some time. The applicant was on bail since his arrest in the crime and he was on bail during the trial and after the conviction. This is a fit case to enlarge the applicant on bail. Hence, I pass following order :-

O R D E R

(i) The applicant is directed to be released on bail in connection with aforesaid crime on executing PR & SB in the sum of Rs.15,000/- (Rupees Fifteen Thousand) with one or more sureties in like amount with directions to attend hearing of the appeal regularly.

(ii) The applicant is directed not to tamper with the prosecution witnesses in any manner, whatsoever.

(3)

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(iii) The applicant is further directed to attend concerned police station once in month on 5th day of every month till further orders.

(iv) The sentence is suspended till the appeal is over.

(v) The criminal application is disposed of.

[SURENDRA P. TAVADE,J.]