

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BENCH AT AURANGABAD

CRIMINAL APPLICATION NO.2309 OF 2021

IN

CRIMINAL APPEAL NO.491 OF 2021

Arun s/o Chhabu Pulawale

Age: 20 years, Occu: Education,

R/o: Devigavan,

Tq. Ashti, Dist. Beed.

... Appellant/Applicant
(Orig. Accused)

Versus

The State of Maharashtra

... Respondent

...

Mr. K.D. Khade h/f Mr. Mr. R.G. Hange, Advocate for the Appellant

Mr. R. B. Bagul, APP for Respondent No.1

...

CORAM : SURENDRA P TAVADE, J.

DATE : 6th October, 2021

P.C. :

1. Heard the learned counsel for the Applicant.
2. The Applicant/Appellant has filed his application for bail and suspension of sentence imposed upon him. Applicant/Appellant is convicted for the offence punishable under Sections 8 & 12 of the Protection of Children From Sexual Offences Act, 2012 (POCSO) and Section 506 of the Indian Penal Code. He is convicted for the offence punishable under Section 8 of POCSO Act and he sentenced to suffer R.I. for three (3) years and to pay a fine of Rs.500/-, in default, to suffer R.I. for one month. He is also convicted for the offence under Section 12

of POCSO Act and he sentenced to suffer R.I. for one(1) year and to pay a fine of Rs.500/-, in default, to suffer R.I. for (7) seven days. He is further also convicted for the offence punishable under Section 506 of IPC and he sentenced to suffer R.I. for one(1) year and to pay a fine of Rs.500/-, in default, to suffer R.I. for (7) days.

3. During pendency of trial, Applicant/Appellant was on bail. Similarly even after conviction, he is ordered to be released on bail for a period of one month. The said period is still subsisting. This appeal may not be heard within short time. Therefore, no purpose would be served by keeping the accused behind the bars as per the provisions of Section 389. The applicant is entitled for bail during the pendency of appeal. Hence, the following order:

ORDER

- (a) Criminal Application is hereby allowed.
- (b) Applicant is ordered to be released on P.R. of Rs.15000/- (Fifteen Thousand).
- (c) Applicant is directed to attend the hearing of the appeal regularly.
- (d) Applicant is directed to attend concerned Police Station once in a month i.e. 5th day of every month till disposal of the appeal.

(SURENDRA P. TAVADE, J.)