

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 2312 OF 2021
IN
CRIMINAL APPEAL NO. 495 OF 2021

Raju S/o Gangadhar Nandre,
Age : 26 Years, Occ. Agriculture,
R/o. Khairgaon Tq. Ardhapur,
Dist. Nanded.

.. APPLICANT

V E R S U S

THE STATE OF MAHARASHTRA

RESPONDENT

...
Advocate for Appellants : Mr. S.S. Gangakhedkar
APP for Respondent: Mrs. G. L. Deshpande
....

CORAM : SURENDRA P. TAVADE, J.
DATE : 05.10.2021

PER COURT :-

Heard learned counsel for the applicant.

2. By way of the present application, the applicant is praying for suspension of substantive sentence and release on bail, during pending hearing and final disposal of Criminal Appeal No. 495 of 2021. Perused the impugned order. The appellant is convicted for the offence punishable under Section 7 and 8 of Protection of Children from Sexual Offences Act, 2012 (POCSO) and he sentenced to suffer R.I. for three years and

to pay a fine of Rs. 2,000/- and in default he is directed to undergo simple imprisonment for one month by the Judgment and order passed learned Additional Sessions Judge, Nanded in Special POCSO Case No. 19 of 2017.

3. The applicant/appellant was on bail during the trial. Even after conviction he is ordered to be released on bail for a period of one month.

4. Hearing of this appeal may take sometime. Therefore, no purpose would be served by keeping the accused behind the bars. Hence, the following order :

ORDER

(i) Application is hereby allowed.

(ii) The substantial sentence awarded to the applicant Raju S/o Gangadhar Nandre in Special POCSO Case No. 19 of 2017, by learned Additional Sessions Judge Nanded on 4th September, 2021 is hereby suspended till the final hearing and disposal of Criminal Appeal No. 495 of 2021.

(iii) He be released on P.R. of Rs.15,000/- (thirty thousand) with one or two sureties of Rs.15,000/- (fifteen thousand).

(iv) He is directed not to tamper with prosecution witnesses in whatsoever manner.

- (v) Applicant is directed to attend the hearing of the appeal regularly.
- (vi) Bail Before the trial Court.
- (vii) Bail Application is disposed of.

**(SURENDRA P. TAVADE)
JUDGE**

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