

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

**904 CRIMINAL APPLICATION NO.2608 OF 2021
IN CRI.APPEAL/562/2021**

**YASH MANOJ LODHA
VERSUS
THE STATE OF MAHARASHTRA**

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Advocate for Appellant/Applicant : Mr. Ostwal Abhaykumar D. a/w
Mr. Mohit Deoda.

APP for Respondent-State : Mr. P. S. Patil.

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**CORAM : S. G. MEHARE,
VACATION JUDGE**

DATE : 12.11.2021

PER COURT :

1. The appellant/accused/applicant has preferred this appeal against conviction passed by the learned Additional Sessions Judge, Ahmednagar, in Sessions Case No.406 of 2019.

2. The learned advocate for the appellant/applicant would submit that during the course of trial, the accused was on anticipatory bail. The learned Sessions Judge has suspended the sentence under Section 389(1) of Cr.PC. The appellant/applicant has attended the trial and has not misused the bail.

3. The learned APP opposed the application contending that the offence is serious. However, this Court does not find any substance in the objection raised by the learned APP. Hence, the following order :

ORDER

- (i) The application is allowed.
- (ii) The impugned judgment of sentence passed by the learned Additional Sessions Judge, Ahmednagar in Sessions Case No.406 of 2019 dated 13.10.2021 is suspended till the disposal of the appeal.
- (iii) The appellant/accused be released on bail on executing P.B. and S.B. of Rs.25,000/-(Rupees Twenty Five Thousand only) with one solvent surety of the like amount.
- (iv) Bail be furnished before the Trial Court within one (1) week from today.

(S. G. MEHARE)
VACATION JUDGE

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vmk/-