

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

**INTERIM APPLICATION NO. 96 OF 2021
IN
CRIMINAL APPEAL NO. 36 OF 2021**

Prakash Popat Sonar
Versus
State of Maharashtra

...Applicant/Appellant

...Respondent

Mr. Prasanna Shane h/f Mr. Milind Deshmukh, Advocate for Applicant.
Mr. S. V. Gavand,, A.P.P for the Respondent-State

CORAM : REVATI MOHITE DERE, J.
FRIDAY, 22ND JANUARY 2021

P.C. :

1. By this application, the applicant seeks suspension of his sentence and enlargement on bail pending the hearing and final disposal of the aforesaid appeal.

2. The applicant vide judgment and order dated 24th February 2020 passed by the learned Additional Sessions Judge, Baramati, Dist. Pune in Special Sessions Case (ACB) No. 18 of 2014, has been convicted and sentenced as under;-

- for the offence punishable under Sections 7 of the Prevention of Corruption Act, to suffer RI for one year and to pay fine of Rupees 1,000/-,

in default, RI for six months; and

- for the offence punishable under Section 13(1)(d) r/w Section 13(2) of the Prevention of Corruption Act to suffer RI for two years and to pay fine of Rs. 1,000/-, in default to suffer RI for six months;

3. Perused the papers. The applicant's sentence was suspended by the Trial Court in order to enable the applicant to file an appeal. It is not in dispute that the applicant was on bail pending trial and that he has not misused the liberty granted to him. The sentence imposed is a short term sentence and the appeal which is admitted today by a separate order is not likely to be heard in the immediate near future.

4. Considering the aforesaid, the application is allowed and the applicant's sentence is suspended and he is enlarged on bail, pending the hearing and final disposal of his appeal, on the following terms and conditions:

ORDER

i) The Applicant be enlarged on bail on furnishing P.R. Bond in the sum of Rs.25,000/- (Rs. Twenty Five Thousands Only) with one or two local sureties in the like amount;

ii) The Applicant shall report to the trial Court, once in three months on the day/date specified by the trial Court, till his Appeal is finally disposed of;

iii) The Applicant shall keep the trial Court informed of his current address and mobile contact number and/or change of residence or mobile details, if any, from time to time;

iv) If there are two consecutive defaults in appearing before the trial Court, the learned Judge shall make a report to the High Court and the prosecution would be at liberty to file an application seeking cancellation of bail.

5. The Application is allowed in the aforesaid terms and is accordingly disposed of.

6. All concerned to act on the authenticated copy of this order.

REVATI MOHITE DERE, J.