

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 1847 OF 2021
IN
CRIMINAL APPEAL NO. 583 OF 2021

Pramod Vasant Takle ...Applicant
vs.
The State of Maharashtra ...Respondent

Mr. Vikas Shivarkar for applicant.
Mr. S.S. Hulke, APP for State.

CORAM : **S. S. SHINDE &**
 SANDIPKUMAR C. MORE, JJ.

DATE : **OCTOBER 21, 2021**

P.C.:

1. Heard the learned counsel appearing for the applicant
and learned APP appearing for State.

2. The present applicant i.e. original accused no. 2 is
seeking his release on bail during the pendency of appeal.
According to the prosecution the present applicant had assisted
the main accused i.e. Ganesh @ Hanmant Dhondiba Nanaware
who has been convicted for the offences punishable under Section
363, 364, 302 and 201 read with Section 34 of IPC.

3. Learned counsel for the applicant submitted that the present applicant has been convicted only for the offence punishable under Section 201 read with Section 34 of IPC i.e. for causing disappearance of evidence of offence. He further submitted that the applicant was in jail for about 10 months during the trial and after conviction he is in jail for about 9 months.

4. Learned APP appearing for State strongly opposed the application on the ground that the guilt of the applicant is already established.

5. Heard the rival submissions. Perused the record. Admittedly, it appears that the present applicant has been convicted for the offence punishable under Section 201 read with Section 34 of IPC. He is not the main accused, but only he has assisted the main accused. Further he was also released on bail during the pendency of trial and it appears that the present applicant has already deposited the fine amount.

6. Considering the nature of offence committed by the present applicant, we are of the opinion that the present applicant can be released on bail, on same conditions as was imposed by the trial Court while releasing him on bail. Hence, the following order:-

ORDER

1. The substantial sentence of imprisonment imposed on the present applicant by the Trial Court in Sessions Case No. 436 of 2007 arising out of C.R. No. 152 of 2007 registered at Wanwadi Police Station, Pune, is hereby suspended during the pendency of appeal.
2. The applicant i.e. Pramod Vasant Takle is hereby released on bail on furnishing two solvent sureties of Rs. 15,000/- each and on execution of PR bond in the like amount.
3. The application stands disposed of.

(SANDIPKUMAR C. MORE, J.)

(S. S. SHINDE, J.)