

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION [APPA] NO.54 OF 2021

IN

CRIMINAL APPEAL NO.47 OF 2021

[Yusuf Shah Bismilla Shah and one .vs. The State of Maharashtra, through Station Officer, Police
Station, Balapur, Tahsil-Balapur, District-Akola]

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri R.D. Dhande, Advocate for applicants-appellants,
Shri I.J. Damle, APP for the respondent-State.

.....

CORAM : N.B. SURYAWANSHI, J.

DATED : 25.02.2021.

1. Heard the learned Advocate for the applicants-appellants and the learned APP for the respondent-State.

2. The applicants-appellants are convicted for the offences punishable under Sections 307, 333, 353, 506 r/w Section 34 of the Indian Penal Code. The applicant no.1 is awarded maximum sentence of 3 years and sentence of 5 years along with fine is imposed on applicant no.2 by the learned Additional Sessions Judge, Akola.

3. The appeal is admitted on 21.1.2021 and while admitting the appeal, both the appellants were directed to be released on bail.

4. The learned advocate for the applicants-appellants states that both the applicants were on bail and they have not misused the facility of bail.

5. Taking into consideration the fact that the appellants were on bail during the trial and were released on bail by this Court at the time of admission of appeal and they have not misused the facility of bail, there are no criminal antecedents and the fact that the appeal is not likely to be taken up for final hearing in near future, the application is allowed.

6. The substantive sentence of imprisonment passed against the applicants by the learned Sessions Court, Akola in Sessions Trial No.105/2011 is hereby suspended. The applicants are released on the same bail as in the Trial Court with fresh bonds.

7. Criminal Application is disposed of.

JUDGE