

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 242 OF 2021

IN

CRIMINAL APPEAL NO. 441 OF 2022

Sanjay Virendrakumar Agrawal ...Applicant

Versus

The State of Maharashtra ...Respondent

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Mr. K.N. Shaikh, Advocate for Applicant.

Mr. S.P. Sonpawale, APP for the Respondent - State.

...

CORAM : R.G. AVACHAT &
R.M. JOSHI, JJ

DATE : NOVEMBER 24, 2022.

PER COURT :

1. This application is filed for suspension of substantive sentence imposed upon the Applicant by judgment and order dated 20th April, 2019 in Special Case No. 41 of 2016.

2. It is the contention of learned Advocate for the Applicant that the Applicant is sentenced to suffer 10 years rigorous imprisonment and in connection with the same crime co-accused are enlarged on bail after their sentence have suspended by this Court. He also pointed out that Applicant is in jail since last 6

years and 11 months. Accused is sentenced to suffer 10 year rigorous imprisonment out of which more than 50% period of sentence he has already undergone.

3. In the circumstances, Applicant deserves to be enlarged on bail by suspending substantive sentence. We are, therefore, inclined to allow the application as under:-

O R D E R

(i) Criminal application is allowed in terms of prayer clause 'B'.

(ii) Pending the appeal, the substantive sentence of imprisonment imposed by the trial Court is suspended. The applicant be released on bail on his executing P.R. bond in the sum of Rs. 15,000/- (Rupees Fifteen Thousand) with one surety in the like amount.

(iii) Bail before the trial Court.

(R.M. JOSHI, J.)

(R.G. AVACHAT, J.)

Malani