

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

**CRIMINAL APPLICATION NO.669 OF 2021
IN
CRIMINAL APPEAL NO.129 OF 2021**

1. Prabhuling s/o. Mahadeo Lakhadive,
 2. Pradeep s/o. Limbaji Ogale,
 3. Sachin s/o.Sambhaji Kawle
- ..Applicants

Vs.

The State of Maharashtra
and anr.

..Respondents

Mr.P.P.More, Advocate for applicants
Mr.S.P.Sonpavale, APP for respondent no.1
Mr.H.V.Patil, Advocate for respondent no.2

**CORAM : R.G. AVACHAT, J.
DATE : MARCH 07, 2022**

ORDER :-

Heard.

2. The applicants/appellants herein (original accused nos.1, 3 and 4) have been convicted for the offences punishable under Sections 394 and 397 read with Section 34 of Indian Penal Code. Applicant nos.1 and 3 (original accused nos.1 and 4) are further convicted for the offence punishable under Section 7 read with Section 25(1-A) of the Arms Act, 1959. The applicants/appellants have been sentenced to suffer rigorous imprisonment for seven years.

3. The applicants have been behind the bars for little over five years. It is informed that the applicants have no criminal antecedents. The appeal is of 2021 and is in the line of hearing. No paper book is ready. As such, it will take time for the appeal to come up for hearing.

4. In view of the fact that the applicants are behind the bars for little over five years and considering the quantum of sentence imposed and the fact that the appeal is not likely to come up for hearing in the near future, during pendency of the appeal, the substantive sentence of imprisonment to stand suspended. The applicants be released on executing P.R. Bond in the sum of Rs.15,000/- (Rupees Fifteen Thousand) each with one surety each in the like amount, on condition that the applicants shall mark their presence at Shivajinagar Police Station, Latur, between 12:00 noon and 01:00 p.m. twice every month, i.e. on every 2nd and 4th Sunday, until further orders.

5. The application stands disposed of.

[R.G. AVACHAT, J.]

KBP