

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

CRIMINAL APPLICATION NO.1482 OF 2022 IN
CRIMINAL APPEAL NO.330 OF 2022

Raju @ Ratnakant s/o Uttam Niware ... **APPLICANT**

VERSUS

The State of Maharashtra ... **RESPONDENT**

.....
Mr. S.D. More, Advocate for applicant
Mr. G.O. Wattamwar, A.P.P. for respondent
.....

CORAM : R. G. AVACHAT, J.

DATE : 25th APRIL, 2022.

PER COURT :

Heard. Issue notice to respondent. Learned A.P.P.
waives service for respondent.

2. The applicant has been convicted for the offence punishable under Section 353 of the Indian Penal Code and sentenced to suffer rigorous imprisonment for one year and to pay fine of Rs.2000/-, in default to suffer S.I. for 2 months. The Criminal Appeal filed by the applicant has been admitted by this Court. Considering it to be a short term sentence, and the appeal is not likely to come for final hearing in near future, I am inclined to suspend the sentence and release the

applicant on bail pending the appeal. Hence the order :-

ORDER

(i) The Criminal Application is allowed.

(ii) Pending the appeal, the execution of substantive sentence of imprisonment imposed upon the applicant by learned Adhoc District Judge-4 and Additional Sessions Judge, Aurangabad by judgment and order dated 23/3/2022, passed in Sessions Case No.565/2019 is hereby suspended and the applicant be released on bail on his executing P.R. bond in the sum of Rs.15,000/- with one surety in the like amount.

**(R. G. AVACHAT)
JUDGE**

fmp/-