

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

CRIMINAL APPLICATION NO. 2612 OF 2022
IN
CRIMINAL APPEAL NO.583 OF 2022

RAMDAS VISHWANATH NARWADE
VERSUS
THE STATE OF MAHARASHTRA

....

Mr. Shaikh Sohail Subhedar, Advocate for the Applicant
Mr. P.G. Borade, APP for the Respondent/State

....

CORAM : SHRIKANT D. KULKARNI, J.

DATE : 17 AUGUST, 2022

PER COURT:-

. It is an application for suspension of sentence and bail moved by the applicant/appellant.

2. Heard Mr. Shaikh Sohail Subhedar, learned counsel for the appellant. Perused the impugned judgment and order of conviction rendered by the learned Additional Sessions Judge, Aurangabad in Sessions Case No. 211 of 2019. The appellant came to be convicted for the offence punishable under Sections 353, 332 and 427 of the Indian Penal Code.

3. Mr. Borade, learned APP for the respondent/State strongly opposed to grant the bail by suspending the sentence. Whereas, Mr. Shaikh Sohail Subhedar, learned

counsel for the appellant submitted that the appellant was on bail during the trial. He was released on bail after conviction. He may be enlarged on bail by suspending the sentence.

4. Having regard to the submissions of both the sides and looking to the fact that the appellant was on bail during the trial and even after conviction he was released on bail by suspending the sentence. The maximum sentence awarded against the appellant is for one year.. The appellant has deposited the fine amount with the trial court. Under these circumstances, it would be just and proper to suspend the sentence and release the applicant/appellant on bail.

ORDER

- (i) The application is hereby allowed.
- (ii) The execution of substantive sentence passed against the applicant/appellant in Sessions Case No.211 of 2019 by the Ad-hoc District Judge-3 and Additional Sessions Judge, Aurangabad is hereby suspended till final decision of the Appeal.
- (iii) The applicant/appellant shall be released on bail on his furnishing P.R. bond of Rs.20,000/- (Rupees Twenty Thousand only) with one or two sureties of the like amount on following conditions :-

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- (a) The applicant/appellant shall furnish his in detail address and Cell Number with the trial court.
- (b) Bail before the trial court.
- (iv) The Criminal application is accordingly disposed of.

[SHRIKANT D. KULKARNI]
JUDGE

S.P Rane