

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

**CRIMINAL APPLICATION NO. 2809 OF 2022
IN
CRIMINAL APPEAL NO.617 OF 2022**

**DEWANAND YASHVANTRAO JADHAV
VERSUS
THE STATE OF MAHARASHTRA**

....
Mr. Madhukar M. Parghane, Advocate for the Appellant
Mr. P.G. Borade, APP for the Respondent/State
....

CORAM : SHRIKANT D. KULKARNI, J.

DATE : 30 AUGUST, 2022

PER COURT:-

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

2. Heard Mr. M.M. Parghane, learned counsel for the appellant and Mr. Borade, learned APP for the respondent/State.

3. Mr. Parghane, learned counsel for the applicant/appellant submitted that in all 26 accused are involved in the case. Out of them, 25 have been released on bail by suspending the sentence and the present

applicant/appellant is alone left out, who is now seeking suspension of sentence and bail. He submitted that this Court was pleased to suspend the sentence and released the appellants on bail in connected matters and seeks similar relief.

4. Mr. Borade, learned APP for the respondent/State opposed to allow this application.

5. I do not find any force in the objection raised by Mr. Borade, learned APP for the respondent/State. It is an admitted position that this Court, vide order dated 28.07.2022 in criminal application No. 2460 of 2022 in criminal appeal No. 557 of 2022, was pleased to suspend the sentence and released the appellants on bail. The same recourse needs to be adopted. Mr. Parghane, learned counsel for the applicant/appellant submits that the appellant was on bail during the trial and the appellant has deposited the fine amount with the trial Court. As such, There are no extraordinary circumstances to keep the appellant behind the bars. Hence, the following order.

ORDER

(i) The application is hereby allowed.

- (ii) The execution of substantive sentence passed against the applicant/appellant in Sessions Case No. 243 of 2019 by the Additional Sessions Judge-1, Nanded, is hereby suspended till final disposal of the appeal.
- (iii) The applicant/appellant shall be released on bail on his furnishing P.R. bond of Rs. 15,000/- (Rupees Fifteen Thousand only) with one or two sureties of the like amount.
- (iv) Bail before the trial court.
- (iv) The Criminal application is accordingly disposed of.

[SHRIKANT D. KULKARNI]
JUDGE

S.P. Rane