

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

23 CRIMINAL APPLICATION NO.2922 OF 2022
IN
CRIMINAL APPEAL NO.635 OF 2022

SHAIKH ATIK SHAIKH ABDULLA
VERSUS
THE STATE OF MAHARASHTRA

...

Advocate for Appellant : Mr. Avhad A P & S A Patel
APP for Respondent : Mr. R D Sanap

...

CORAM : SHRIKANT D. KULKARNI, J.
Dated: September 12, 2022

...

PER COURT :-

1. This is an application for suspension of sentence and bail moved by the applicant.

2. Heard Mr. Patel, learned counsel for the appellant and Mr. Sanap, learned APP for the State. Perused the impugned judgment and order of conviction passed by the Special Judge in Special Sessions Case No.219 of 2020 dated 21.7.2022.

3. It is revealed during the course of argument that the applicant was on bail during trial. He has deposited the fine amount with the trial court. The

aaa/-

applicant/appellant has been convicted for various offences under the Drugs and Cosmetics Act, 1940 coupled with sections 276 and 328 of IPC. Maximum sentence awarded against the applicant/appellant is of three years R.I. and sentences are directed to run concurrently. There are no extra ordinary circumstances to keep the applicant behind bars during the appeal period. There are no chances to take up this appeal for final hearing in near future. It would be just and proper to suspend the sentence and release the applicant/appellant on bail.

O R D E R

- i. The application is hereby allowed.
- ii. Substantive sentence passed against the applicant/appellant in Special Sessions Case No.219 of 2020 dated 21.7.2022 by the Special 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 in the sum of Rs.20,000/- (Rs.Twenty Thousand) with one or two solvent sureties of the like amount on the following conditions :-

aaa/-

- a] He shall furnish his in detail address with Cell number before the trial court.
 - b] Bail before the trial court.
 - c] Inform the concerned court accordingly.
- iv. Criminal application is accordingly disposed off.

(SHRIKANT D. KULKARNI, J.)

...