

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

926 CRIMINAL APPLICATION NO.3050 OF 2022
WITH APPEAL/664/2022

BHAGWAN VITTHALRAO GOPGONWAR

VERSUS

THE STATE OF MAHARASHTRA

...

Advocate for Applicant : Mr Sanket A. Jadhav h/f Mr Devang R. Deshmukh
APP for Respondent/State : Mr P.G. Borade

CORAM : SHRIKANT D. KULKARNI, J.

DATE : 13th SEPTEMBER, 2022

PER COURT :

1. It is an application for suspension of sentence and bail moved by the applicant/original accused.
2. Heard Mr Sanket A. Jadhav holding for Mr Devang R. Deshmukh, learned counsel for the applicant/appellant and Mr P.G. Borade, learned APP for the State.
3. It is revealed during the course of argument that the applicant/accused came to be convicted by the learned Additional Sessions Judge-1, Nanded for the offences punishable under sections 353, 294, 341 and 506 of IPC with different terms of rigorous imprisonment in addition to fine amount with default stipulation. The applicant was on bail during the trial. Even after conviction, he has been released on bail by suspending the sentence till appeal period. It is submitted by the learned counsel for the applicant that the entire fine amount has been deposited with the trial court. He undertakes to place on record receipt to that effect within a week from

today. His statement is accepted. He shall place on record copy of receipt regarding payment of fine amount with the trial court within a week from today. There are no extraordinary circumstances to keep the applicant behind the bars in view of nature of offences. There are no chances to take up this appeal for final hearing in near future.

4. Having regard to the small terms of sentence awarded against the applicant, it would be just and proper to suspend the same and release the applicant on bail.

ORDER

- (i) The criminal application is hereby allowed.
- (ii) The execution of substantive sentence passed against the applicant in Sessions Case No. 247/2019 by the learned Additional Sessions Judge-1, Nanded, 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 solvent sureties of the like amount on the following conditions :-
 - (a) The applicant shall furnish his in-detail address with his Cell Number before the trial court.
 - (b) Bail before the trial court.
 - (c) The criminal application is accordingly disposed of.

[SHRIKANT D. KULKARNI, J.]

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